



GAIL FARBER, Director

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS**

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331

<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

December 09, 2014

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

32 December 9, 2014


PATRICK OZAWA
ACTING EXECUTIVE OFFICER

Dear Supervisors:

**MEMORANDUM OF AGREEMENT AMONG THE
CITY OF LOS ANGELES, COUNTY OF LOS ANGELES,
AND LOS ANGELES COUNTY FLOOD CONTROL DISTRICT
REGARDING THE DESIGN, CONSTRUCTION, AND OPERATION AND
MAINTENANCE OF THE SANTA MONICA CANYON CHANNEL
RUBBER DAM PROJECT CAPITAL PROJECT NO. 77128
(SUPERVISORIAL DISTRICT 3)
(3 VOTES)**

SUBJECT

This action is to authorize the Director of Public Works or her designee, on behalf of the County of Los Angeles and the Los Angeles County Flood Control District, to enter into a Memorandum of Agreement with the City of Los Angeles regarding the design, construction, and operation and maintenance of the Santa Monica Canyon Channel Rubber Dam Project. The City of Los Angeles will reimburse the Los Angeles County Flood Control District up to \$50,000 to prepare and secure a maintenance service contract and up to \$15,000 per year for 2 years of maintenance services.

IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:

1. Acting as a responsible agency for the Santa Monica Canyon Channel Rubber Dam Project, consider the Mitigated Negative Declaration prepared and adopted by the City of Los Angeles as lead agency, together with any comments received during the public review process; certify that the Board has independently considered and reached its own conclusions regarding the environmental effects of the project as shown in the Mitigated Negative Declaration.

2. Authorize the Director of Public Works or her designee, acting as the Chief Engineer of the Los Angeles County Flood Control District, to enter into a Memorandum of Agreement with the City of Los Angeles and the County of Los Angeles establishing the responsibilities of each party regarding the design, construction, operation and maintenance, and financial obligations related to the Santa Monica Canyon Channel Rubber Dam Project, Capital Project No. 77128, in the City of Los Angeles.

IT IS RECOMMENDED THAT THE BOARD ACTING AS GOVERNING BODY OF THE COUNTY OF LOS ANGELES:

Authorize the Director of Public Works or her designee, on behalf of the County of Los Angeles, to enter into a Memorandum of Agreement with the City of Los Angeles and the Los Angeles County Flood Control District establishing the responsibilities of each party regarding the design, construction, operation and maintenance, and financial obligations related to the Santa Monica Canyon Channel Rubber Dam Project, Capital Project No. 77128, in the City of Los Angeles.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The Santa Monica Canyon Channel Rubber Dam Project, Capital Project No. 77128, is a joint effort between the County of Los Angeles Department of Public Works (Public Works) and the City of Los Angeles (City). The project is located in the City, within and adjacent to the Santa Monica Canyon Channel. It is a key component of the City's overall Low-Flow Diversion (LFD) system, which serves to improve water quality in order to comply with requirements of the Santa Monica Bay Beaches Bacteria Total Maximum Daily Load.

The purpose of the recommended action is to authorize the Director of Public Works or her designee to enter into a Memorandum of Agreement (MOA) between the County of Los Angeles (County), Los Angeles County Flood Control District (LACFCD), and the City to establish the roles and responsibilities of these parties with respect to the design, construction, and operation and maintenance of the project. The enclosed MOA also establishes the financial obligations of each party regarding the project.

The project consists of removing an existing diversion berm within the Santa Monica Canyon Channel and replacing it with a 3-foot-high by 37-foot-wide air-inflatable rubber dam, which will capture and divert urban runoff into an LFD system for treatment at the Hyperion Sewage Treatment Plant. The work also includes construction of a control cabinet adjacent to the channel, to be installed within existing LACFCD right of way. The construction of the project is scheduled for completion by November 30, 2014.

The new rubber dam will divert flows into the City's existing Santa Monica Canyon Channel LFD. The City has constructed a new LFD system, which will also utilize the new rubber dam. The City's new LFD will increase the existing system's capacity from approximately 5 cubic feet per second to approximately 12 cubic feet per second and will become operational when the City's Coastal Interceptor Relief Sewer Expansion Project is completed in May 2015.

On May 11, 2010, the Board, acting as the governing body of the County, considered the Mitigated Negative Declaration (MND) (enclosed) for the project and approved the total project budget of \$2,000,000 as part of Agenda Item No. 57. The Agenda Item stated that Public Works would return to the Board for authorization to enter into an MOA to memorialize the terms of this project. Additionally, the Agenda Item also stated that Public Works would return to the Board to recommend adoption of plans and specifications and advertisement for construction bids. The project, however,

was awarded through a Job Order Contract in order to expedite construction services.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness/Fiscal Sustainability (Goal 1) and Community Support and Responsiveness (Goal 2). This project supports the development of a cooperative partnership with the City to effectively leverage our resources using a collaborative effort. Also, construction of the LFD enhances the quality of the stormwater and urban runoff conveyed through the LACFCD storm drains and will ultimately improve the quality of life for the public.

FISCAL IMPACT/FINANCING

Under the provisions of the MOA, the City will reimburse the LACFCD for an amount not to exceed \$50,000 to prepare and secure a service contract for maintenance of the project. Additionally, the City will reimburse the LACFCD for an amount not to exceed \$15,000 per year for a maximum period of 2 years following construction and field acceptance of the project to perform maintenance of the project.

Funding for securing the service contract and performing first year maintenance of the project is available from a portion of the Fiscal Year 2014-15 LACFCD Fund Budget. Funding for the remainder of the 2-year maintenance period will be made available through the Fiscal Years 2015-16 and 2016-17 annual budget process.

Under the provisions of the MOA, the County agrees to pay for the design, engineering, and construction costs associated with the project, which has been funded by the Capital Projects/Refurbishment Budget approved by the Board on May 11, 2010.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Under the provisions of the MOA, the City will take on the ownership and responsibility for the operation of the project upon completion of construction and field acceptance by the County. The City will finance the LACFCD to oversee annual maintenance of the project, on the City's behalf, for 2 years following project completion, and the City will assume direct responsibility for maintenance thereafter. The enclosed MOA was signed by the City on May 7, 2012.

The enclosed MOA has been reviewed and approved as to form by County Counsel.

ENVIRONMENTAL DOCUMENTATION

The City, as lead agency under the California Environmental Quality Act (CEQA), prepared an initial study and adopted the enclosed MND for this project on April 1, 2009. On May 11, 2010, Agenda Item 57, the Board, acting as the governing body of the County, considered the MND adopted by the City and determined that the project will not have a significant effect on the environment. The County's execution of the MOA is within the scope of the project discussed in the MND that was previously considered by the Board.

By entering into the proposed MOA, the LACFCD is acting as a responsible agency under CEQA for the project, and the recommended consideration by the LACFCD of the projects MND is required in addition to the May 11, 2010, consideration by the County.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no negative impact on current County services or projects during the performance of the recommended services.

Approval of this action will benefit the County and the LACFCD by providing a means of collaboration with the City to share intentions, goals, and plans concerning potential improvements and developments along the Santa Monica Canyon Channel within the City boundaries.

CONCLUSION

Please return an adopted copy of this letter to the Chief Executive Office, Capital Projects Division, and one to the Department of Public Works, Watershed Management Division.

Respectfully submitted,

A handwritten signature in black ink that reads "Gail Farber". The script is cursive and fluid.

GAIL FARBER
Director

GF:TMG:sw

Enclosures

c: Chief Executive Office (Rita Robinson)
County Counsel
Executive Office

AGREEMENT NO. C-120378
THOMAS GUIDE PAGE: 631-B7

MEMORANDUM OF AGREEMENT
AMONG
CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, AND LOS
ANGELES COUNTY FLOOD CONTROL DISTRICT

REGARDING THE DESIGN, CONSTRUCTION, AND OPERATION
AND MAINTENANCE OF THE SANTA MONICA CANYON CHANNEL
RUBBER DAM

This Memorandum of Agreement (AGREEMENT) is made and entered into as of the date of the last signature set [EFFECTIVE DATE] forth below among the City of Los Angeles, a municipal corporation (hereinafter referred to as CITY), the County of Los Angeles, a political subdivision of the State of California (hereinafter referred to as COUNTY), and the Los Angeles County Flood Control District, a body corporate and politic (hereinafter referred to as DISTRICT), collectively referred to herein as the PARTIES or individually as PARTY, with respect to the following:

RECITALS

WHEREAS, the Regional Water Quality Control Board, Los Angeles Region ("LARWQCB") adopted the Santa Monica Bay Beaches Dry Weather Bacteria Total Maximum Daily Load (SMBBB TMDL) on January 24, 2002, by Resolution No. 2002-004; and

WHEREAS, the SMBBB TMDL became effective on July 15, 2003; and

WHEREAS, the SMBBB TMDL addresses water quality impairments caused by elevated bacterial indicator densities that may be present along the shoreline of Santa Monica Bay, and has the intent of improving water quality in this water body; and

WHEREAS, the SMBBB TMDL identifies multiple agencies and jurisdictions, including the CITY and COUNTY, as jointly responsible for meeting the waste load allocations of the SMBBB TMDL; and

WHEREAS, the tributary drainage area of Santa Monica Canyon Channel is located entirely within the jurisdictional boundaries of CITY and the City of Santa Monica and

WHEREAS, the CITY owns and operates a Low-Flow Diversion that diverts dry weather runoff from Santa Monica Canyon Channel to the sewer conveyance system; and

WHEREAS, the CITY is currently conducting a capacity expansion project to ensure year-round operation of the Low-Flow Diversions that are owned by the CITY; and

WHEREAS, the DISTRICT holds fee title to certain property, an easement for ingress and egress and flood control purposes over other property, and owns flood control improvements, including Santa Monica Canyon Channel located between West Channel Rd., Short St., Entrada Dr. and the Pacific Ocean in the City of Los Angeles, State of California, as shown on Exhibit A attached hereto and made a part hereof, hereafter referred to as PREMISES; and

WHEREAS, CITY desires the construction of a rubber dam and related appurtenances, a conveyance pipeline, a control enclosure, telemetry system, and an access ladder (hereinafter referred to as PROJECT) on PREMISES to convey flows to the existing Low-Flow Diversion and to a new Low-Flow Diversion built, maintained, and operated by CITY; and

WHEREAS CITY desires that DISTRICT maintain the PROJECT for a period of two (2) years following construction on CITY's behalf and CITY's expense; and

WHEREAS, PARTIES desire to enter into this AGREEMENT to establish the obligations of each PARTY in regard to the PROJECT.

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth herein, the PARTIES do hereby agree as follows:

Section 1. Recitals. The recitals set forth above are fully incorporated as part of this AGREEMENT.

Section 2. Purpose. The purpose of this AGREEMENT is to cooperatively implement the PROJECT on PREMISES and establish the responsibilities of the PARTIES with respect to the construction, operation and maintenance, and financial obligations related to the PROJECT.

Section 3. Cooperation. The Parties shall fully cooperate with one another to attain the purposes of this AGREEMENT.

Section 4. Voluntary Nature. This AGREEMENT is entered into by the PARTIES voluntarily.

Section 5. Term. The term of this AGREEMENT shall be for twenty five (25) years (Initial Term), as of the EFFECTIVE DATE of this AGREEMENT, subject to the provisions of Sections 9 and 12 of this AGREEMENT after which term the AGREEMENT shall terminate. CITY may request renewal of this AGREEMENT beyond the Initial Term on a year-to-year basis for a period not to exceed twenty (20) years beyond the Initial Term, provided a written request from CITY is received by DISTRICT and COUNTY no earlier than twelve (12) months

or later than six (6) months prior to the end of the Initial Term and provided that both COUNTY and DISTRICT agree in writing to a renewal.

Section 6. Role of DISTRICT.

DISTRICT agrees:

- a) To review and approve plans and specifications for PROJECT.
- b) To grant COUNTY permission to construct PROJECT on PREMISES for the purposes of PROJECT stated herein.
- c) To allow CITY to operate PROJECT and grant access of PREMISES to CITY for this purpose for the duration of this AGREEMENT, subject to terms and conditions agreeable to DISTRICT.
- d) To, at the sole cost of CITY, for a not to exceed amount of \$50,000, prepare final Scope of Work, advertise Requests for Proposal, and execute maintenance contract for PROJECT. The duration of the maintenance contract will be for a maximum of two years. DISTRICT will track its administrative expenses related to preparation and execution of the maintenance contract and will invoice CITY.
- e) To, at the sole cost of CITY, for a not to exceed amount of \$15,000 per year, arrange for maintenance of PROJECT for a maximum of two years per rubber dam manufacturer's recommendation in a manner substantially similar to the Scope of Work included as Exhibit B. CITY written authorization will be obtained prior to any maintenance expenses in excess of \$15,000 in any Fiscal Year. DISTRICT is not responsible for any maintenance or performance of PROJECT in the event that CITY opts to perform maintenance in part or in whole. DISTRICT is not responsible for any maintenance in excess of \$15,000 per year that is not approved in advance by CITY or for performance issues related due to CITY's lack of authorization of maintenance of the project. DISTRICT will track its expenses related to administering the maintenance contract and will invoice CITY.
- f) To allow CITY to perform maintenance of PROJECT by CITY, or third party selected by CITY, and grant access of PREMISES to CITY for this purpose for the duration of this AGREEMENT, subject to terms and conditions agreeable to DISTRICT upon sufficient written notice by CITY.
- g) To be responsible to maintain the Santa Monica Canyon Channel as part of DISTRICT's flood control system, solely for flood control purposes, which do not include any conditions related to operations of the PROJECT or water quality objectives of the PROJECT.

Section 7. Role of COUNTY.

COUNTY agrees:

- a) To provide design and construction services for PROJECT for a total project cost not to exceed \$2,000,000.
- b) To obtain CITY and DISTRICT review and approval of final design plans and specifications. Specifications shall include a training class for CITY operations staff provided by PROJECT contractor prior to project transfer.
- c) To ensure completion of any additional necessary documents or approvals for the PROJECT required for compliance with the California Environmental Quality Act at the sole cost of the CITY.
- d) To advertise PROJECT for construction bids, award and administer the construction contract, perform construction survey, and change or modify the plans and specifications as needed.
- e) To inspect PROJECT for compliance with approved plans and specifications prior to relinquishment to CITY.
- f) To allow CITY and DISTRICT to inspect PROJECT for compliance with approved plans and specifications. CITY or DISTRICT can raise concerns to COUNTY inspector, but the COUNTY inspector shall be the only inspector with power to direct the contractor. In the event of a disagreement, the issue shall be referred to sequentially higher administrative or political positions within CITY, DISTRICT and/or COUNTY until the issue is resolved.
- g) To transfer ownership and relinquish PROJECT to CITY upon field acceptance of PROJECT by COUNTY. Field acceptance will consist of written documentation from COUNTY to CITY stating that PROJECT was built per plans and specifications. COUNTY will not be responsible for any costs beyond transfer of ownership.
- h) To use reasonable efforts to assist in enforcing contract requirements for warranty work as required by contract documents.

Section 8. Role of CITY

CITY agrees:

- a) To review and approve plans and specifications for PROJECT.
- b) To take ownership of PROJECT upon field acceptance of PROJECT by COUNTY.
- c) To be responsible for all operations of PROJECT. CITY agrees neither DISTRICT nor COUNTY shall be responsible for operation or effectiveness of PROJECT.

- d) To remove all debris within the vicinity of the PROJECT that otherwise would interfere with the operation or maintenance of the PROJECT. CITY will not be responsible for maintenance of the Santa Monica Canyon Channel for flood control purposes.
- e) To pay all actual costs to DISTRICT associated with maintenance of PROJECT pursuant to section (6) of this AGREEMENT, including DISTRICT's administrative costs as invoiced by DISTRICT. Maintenance to be arranged by DISTRICT for a maximum of two years, in a manner substantially similar to the Scope of Work included as Exhibit B. All maintenance and related administrative costs shall be tracked by the DISTRICT including all costs associated with preparation of Scope of Work, Request for Proposal, Execution of Maintenance Contract, and Administration of Maintenance Contract.
- f) To assume full responsibility for all maintenance and costs associated with the PROJECT upon conclusion of the two year maintenance contract with the District.
- g) To allow DISTRICT to have deflation capability over Rubber Dam for flood control maintenance/activities at all times, through direct access to the control panel at PREMISES. In case of deflation of the rubber dam, DISTRICT will notify CITY within 24-hours following deflation. Neither DISTRICT nor COUNTY shall be in any manner liable to CITY for water quality exceedances that occur when the rubber dam has been deflated. CITY will be responsible for re-inflating rubber dam after DISTRICT initiated deflation following consultation with DISTRICT. The CITY may operate the existing concrete berm and low-flow diversion during deflation period.

To pay for all actual costs of PROJECT's operations and maintenance, including but not limited to necessary repairs and replacement of the PROJECT components after field acceptance by COUNTY. CITY will not be responsible for costs associated with repairs and replacement of PROJECT components that are necessary due to the negligence of DISTRICT or its subcontractors within the DISTRICT's two year maintenance arrangement.

Section 9. Additional Provisions.

It is mutually understood and agreed:

- a) If property of any PARTY is damaged by any other PARTY, or any person entering PREMISES with the consent of that PARTY, either expressed or implied, that PARTY shall replace or repair the damaged property within a reasonable time to the satisfaction of PARTY or, at PARTY's sole discretion, compensate PARTY for the damage within ninety (90) days of billing.
- b) CITY's use of PREMISES shall be for the purposes enumerated herein and pursuant to any permit(s) issued by DISTRICT at no cost to the CITY. It is understood that the operation of PROJECT is subordinate to the flood control purposes of the PREMISES as determined solely by DISTRICT's Chief Engineer and activities covered in this

AGREEMENT shall in no way conflict with these purposes. DISTRICT reserves the right to terminate this AGREEMENT for any reason prior to the anticipated termination date, by giving CITY one hundred-eight (180) days written notice, should, in its opinion, there develop a substantial incompatibility between CITY's permitted use herein of PREMISES and DISTRICT's current or future use of PREMISES for flood control purposes, arising from any cause whatsoever. It is further understood and agreed that DISTRICT will maintain full use of PREMISES and may temporarily suspend the operation of the PROJECT for flood control purposes, for any length of time necessary in order to allow the performance by DISTRICT, its officers, agents, invitees, and employees of activities necessary to protect life, property, or PREMISES from damage at the sole discretion of DISTRICT. Neither DISTRICT nor COUNTY shall be liable to CITY in the event the operation of the PROJECT is suspended.

Section 10. Invoice and Payment. Pursuant to Section (6) and (8) of this AGREEMENT, CITY, shall reimburse DISTRICT for the cost of maintenance performed by DISTRICT or its subcontractors. All maintenance-related costs including the actual costs of preparation and execution of the maintenance contract and DISTRICT's actual costs of administering the maintenance contract shall be invoiced and payable to DISTRICT by CITY. The DISTRICT will track the actual costs and provide annual statements to the CITY by September 1st of each year of the annual costs incurred by DISTRICT over the previous fiscal year. DISTRICT will invoice the CITY on an annual basis and CITY will pay DISTRICT the invoiced amount within sixty (60) days of receipt of the invoice from DISTRICT. DISTRICT will provide CITY with annual statements that specify the cost incurred by DISTRICT. The first invoice will be sent to CITY by September 1, 2012, for fiscal year 2011-2012.

Section 11. Indemnification. To the fullest extent permitted by law, all PARTIES agree to save, indemnify, defend, and hold one another harmless from any and all liability, claims, suits, actions, arbitration proceedings, administrative proceedings, and regulatory proceedings, losses, expenses, or any injury or damage of any kind whatsoever, whether actual, alleged or threatened, attorney fees, court costs, and any other costs of any nature without restriction incurred in relation to, as a consequence of, or arising out of, the performance of this AGREEMENT, and attributable to the negligence of such indemnifying PARTY. Following a determination of the percentage of fault and or liability by agreement between the PARTIES or a court of competent jurisdiction, the PARTY responsible for liability to the other will indemnify the other PARTIES to this AGREEMENT for the percentage of liability determined.

In light of the provisions of Section 895.2 of the Government Code of the State of California imposing certain tort liability jointly upon public entities solely by reason of such entities being parties to an agreement (as defined in Section 895 of said Code), each of the PARTIES s hereto, pursuant to the authorization contained in Section 895.4 and 895.6 of said Code, shall assume the full liability imposed upon it or any of its officers, agents, or employees by law for injury caused by any act of omission occurring in the performance of this AGREEMENT to the same extent that such liability would be imposed in the absence of Section 895.2 of said Code. To achieve the above stated purpose, each of the Parties indemnifies, defends, and holds harmless each other Party, its elected bodies, officers, agents employees, special districts and volunteers, for any liability, cost, or expense that may be imposed upon such other Party solely by virtue of said

Section 895.2. The provisions of Section 2778 of the California Civil Code are made a part hereof as if incorporated herein.

Notwithstanding any other provision of this agreement, CITY shall indemnify, defend, and hold harmless COUNTY and DISTRICT, and their respective officers and employees from and against any claims, demands, liability, damages, costs and expenses, including, without limitation, attorney fees and costs of litigation and claims involving bodily injury, death or personal injury of any person or property damage of any nature whatsoever, arising out of the operation and/or maintenance performed by the CITY of the PROJECT. This indemnification shall apply except to the extent that the claims, demands, liability or damages arise from the negligence, recklessness or willful misconduct of COUNTY or DISTRICT, or their respective officers, employees, agents contractors or subcontractors.

Likewise, notwithstanding any other provision of this agreement, COUNTY and DISTRICT shall indemnify, defend, and hold harmless CITY, and its respective officers and employees from and against any claims, demands, liability, damages, costs and expenses, including, without limitation, attorney fees and costs of litigation and claims involving bodily injury, death or personal injury of any person or property damage of any nature whatsoever, arising out of the maintenance DISTRICT of the PROJECT. This indemnification shall apply except to the extent that the claims, demands, liability or damages arise from the negligence, recklessness or willful misconduct of CITY, or its respective officers, employees, agents contractors or subcontractors.

Section 12. Termination of Agreement. Notwithstanding other provisions of this AGREEMENT, any PARTY may terminate this AGREEMENT upon six (6) months prior written notice to the other PARTIES for any reason, including for breach of a PARTY's obligation(s) under the AGREEMENT, CITY agrees to remove PROJECT from PREMISES to the satisfaction of DISTRICT within six (6) months after termination by CITY or, at DISTRICT's discretion, pay DISTRICT for actual costs of removal to DISTRICT's satisfaction within 90 days of notice. Failure to perform any provision, covenant or condition of this AGREEMENT shall not be deemed a breach if cured within thirty (30) days of written notice of breach. PARTIES shall notify other PARTIES in writing, identifying the breach, and provide thirty (30) days to cure the breach.

Section 13. General Provisions.

- a) Notices. All notices herein that are to be given or that may be given by either PARTY shall be in writing and shall be deemed to have been given three (3) business days after deposit in the U.S. Mail addressed as follows:

To DISTRICT:

Los Angeles County Flood Control District
Department of Public Works
Watershed Management Division, 11th floor
900 South Fremont Avenue
Alhambra, CA 91803-1331
Attention: Gary Hildebrand
Phone No.: (626) 458-4301
Fax: (626) 457-1526

To COUNTY:

County of Los Angeles
Chief Executive Office
Office of Unincorporated Area Services
Kenneth Hahn Hall of Administration
500 West Temple Street, Room 723
Los Angeles, CA 90012
Attention: Burt Kumagawa
Phone No.: (213) 893-9742

To CITY:

City of Los Angeles
Department of Public Works
Bureau of Sanitation
Watershed Protection Division
1149 South Broadway, 10th floor
Los Angeles, CA 90015
Attention: Shahram Kharaghani
Phone No.: (213) 485-0587
Fax: (213) 485-3939

- b) Administration. For the purposes of this Agreement, the PARTIES hereby designate as their respective PARTY Representatives, the persons named in Section 13a of this AGREEMENT. The designated PARTY Representatives, or their respective designees, shall administer the terms and conditions of this AGREEMENT on behalf of their respective PARTY. Each of the persons signing below on behalf of a PARTY represents and warrants that they are authorized to sign this AGREEMENT on behalf of such PARTY.

- c) Relationship of Parties. The PARTIES are and shall remain at all times as to each other, wholly independent entities. No PARTY to this AGREEMENT shall have power to incur any debt, obligation, or liability on behalf of another PARTY unless expressly provided to the contrary by this AGREEMENT. No employee, agent, or officer of a PARTY shall be deemed for any purpose whatsoever to be an agent, employee, or officer of another PARTY.
- d) Binding Effect. This AGREEMENT shall be binding upon and inure to the benefit of each PARTY to this AGREEMENT and their respective heirs, administrators, representatives, successors and assigns.
- e) Amendment. The terms and provisions of this AGREEMENT may not be amended, modified or waived, except by an instrument in writing signed by all the PARTIES.
- f) Waiver. Waiver by any PARTY to this AGREEMENT of any term, condition, or covenant of this AGREEMENT shall not constitute a waiver of any other term, condition, or covenant. Waiver by any PARTY to any breach of the provisions of this AGREEMENT shall not constitute a waiver of any other provision, nor a waiver of any subsequent breach or violation of any provision of this AGREEMENT.
- g) Law to Govern; Venue. This AGREEMENT shall be interpreted, construed, and governed according to the laws of the State of California. In the event of litigation between the PARTIES, venue in the state trial courts shall lie exclusively in the County of Los Angeles.
- h) No Presumption in Drafting. The PARTIES to this AGREEMENT agree that the general rule that an agreement is to be interpreted against the Party drafting it, or causing it to be prepared shall not apply.
- i) Entire Agreement. This AGREEMENT constitutes the entire agreement of the PARTIES with respect to the subject matter hereof and supersedes all prior or contemporaneous agreements, whether written or oral, with respect thereto.
- j) Severability. If any term, provision, condition or covenant of this AGREEMENT is declared or determined by any court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions of this AGREEMENT shall not be affected thereby and this AGREEMENT shall be read and constructed without the invalid, void, or unenforceable provision(s).
- k) Counterparts. This AGREEMENT may be executed in any number of counterparts, each of which shall be an original, but all of which taken together shall constitute but one and the same instrument, provided, however, that such counterparts shall have been delivered to all PARTIES to this AGREEMENT.

- l) The PARTIES have been represented by counsel in the preparation and negotiation of this AGREEMENT. Accordingly, this AGREEMENT shall be construed according to its fair language.

IN WITNESS WHEREOF, this AGREEMENT is executed as of the dates indicated below, by the COUNTY, acting by and through its Director of Public Works, the DISTRICT, by and through its Chief Engineer, and the CITY, by and through the President of its Board of Public Works.

COUNTY OF LOS ANGELES

By _____
Director of Public Works

APPROVED AS TO FORM:

MARK J. SALADINO
County Counsel

By _____
Deputy

LOS ANGELES COUNTY
FLOOD CONTROL DISTRICT

By _____
Chief Engineer

APPROVED AS TO FORM:

MARK J. SALADINO
County Counsel

By _____
Deputy

//

//

//

//

IN WITNESS WHEREOF, this AGREEMENT is executed as of the dates indicated below, by the COUNTY, acting by and through its Director of Public Works, the DISTRICT, by and through its Chief Engineer, and the CITY, by and through the President of its Board of Public Works.

COUNTY OF LOS ANGELES

By _____
Director of Public Works

APPROVED AS TO FORM:

MARK J. SALADINO
County Counsel

By _____
Deputy

LOS ANGELES COUNTY
FLOOD CONTROL DISTRICT

By _____
Chief Engineer

APPROVED AS TO FORM:

MARK J. SALADINO
County Counsel

By _____
Deputy

//
//
//
//

CITY OF LOS ANGELES

Date: 5/7/12

By: [Signature]
Andrea Alarcon, President
Board of Public Works

ATTEST:

By: [Signature]
June Lagmay
City Clerk
5/7/12
C-120378

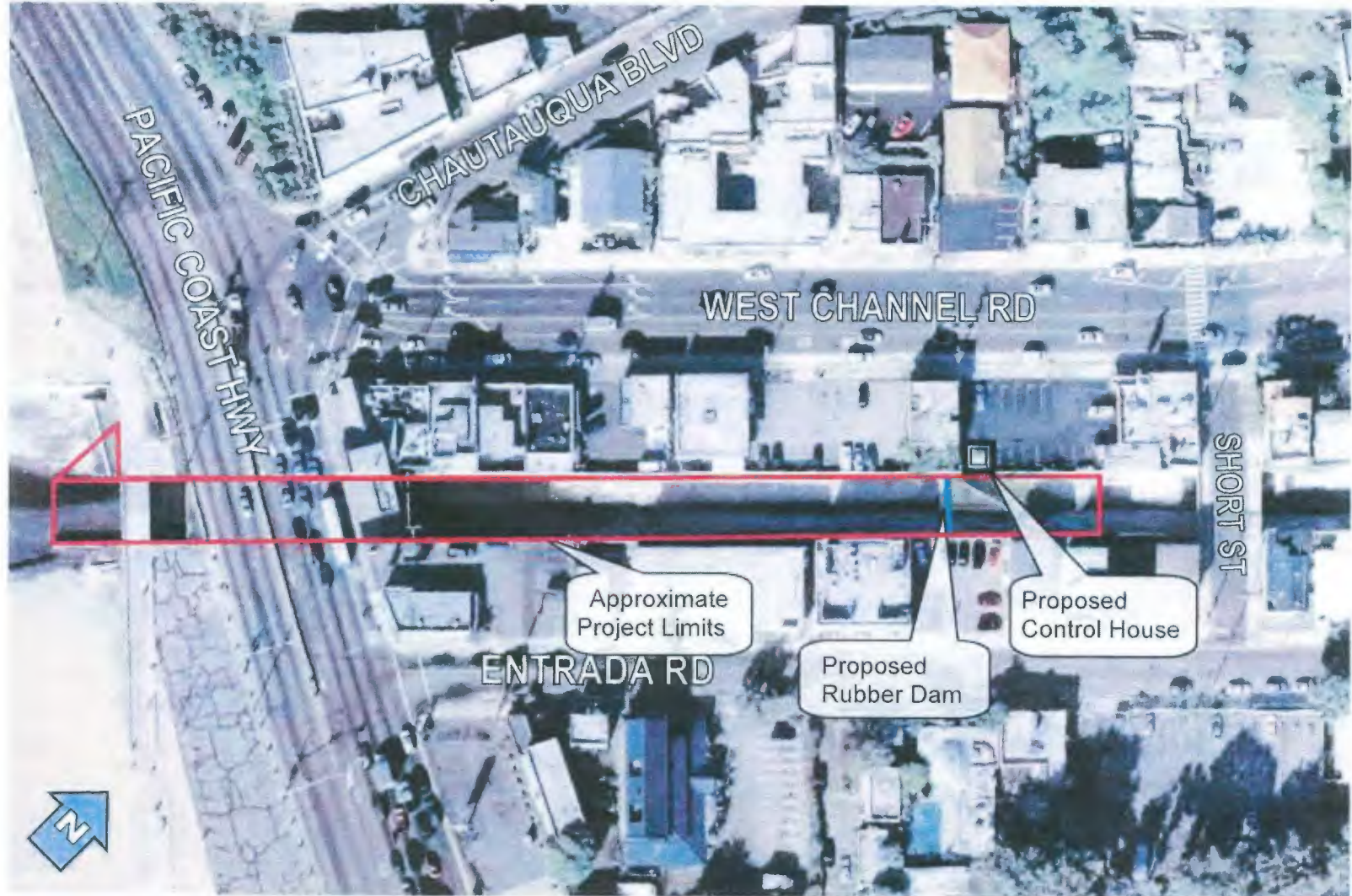


APPROVED AS TO FORM:

Carmen Trutanich
City Attorney

By: [Signature]
Edward M. Jordan
Assistant City Attorney

Exhibit A – Site Map/Project Area
Santa Monica Canyon Channel Rubber Dam Project



*Initial Study/
Mitigated Negative Declaration
for*

**Santa Monica Canyon and Palisades Park
Low Flow Diversion Upgrades and
Coastal Interceptor Relief Sewer
W.O. EW40026A and EW40027A**

Transmittal 1:
Mitigated Negative Declaration with
Initial Study



City of Los Angeles



*Bureau of Engineering
Environmental Management Group*

August 6, 2008

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT
MITIGATED NEGATIVE DECLARATION
(Article I, City CEQA Guidelines)

DOCUMENT FILED
City Clerk's Office
No. B5511-01
Certified by: *SP*
Date: AUG - 8 2008

LEAD CITY AGENCY AND ADDRESS:

Department of Public Works, Bureau of Engineering
1149 South Broadway, Suite 600, Los Angeles, CA 90015-2213

COUNCIL DISTRICT

11

PROJECT TITLE:

Santa Monica Canyon and Palisades Park Low Flow Diversion Upgrades and Coastal Interceptor Relief Sewer (W.O. EW40026A and EW40027A)

T.G. 631-B7 to 671-B1

PROJECT LOCATION: Palisades Park low flow diversion (LFD) at Will Rogers State Beach Parking Lot 2, extending southerly within Pacific Coast Highway (PCH) right-of-way to Will Rogers State Beach Parking Lot 1, then proceeding within PCH right-of-way to its southerly terminus just south of San Vicente Boulevard within the Pacific Palisades community of Los Angeles and the northwestern limits of the City of Santa Monica.

DESCRIPTION: The proposed project consists of the upgrade two existing low flow diversions (LFDs) and construction of a 4,500-foot long Coastal Interceptor Relief Sewer (CIRS) within the Community of Pacific Palisades and the northern limits of the City of Santa Monica. The project is funded by Proposition O, a Clean Water Bond Measure, which was approved by voters November 5, 2004. LFD systems divert dry-weather flows from the storm drain system to the sanitary sewer, where the runoff is treated before being discharged into the ocean. The project will help the City meet the winter dry-weather bacteria Total Maximum Daily Load requirements for the Santa Monica Bay. The Pacific Palisades LFD would be upgraded at its current location and a new LFD system would be installed near the mouth of the Santa Monica Canyon Channel. The existing Santa Monica Canyon LFD would be left in place for redundancy and system reliability. Construction of the Santa Monica Canyon LFD would be a joint effort between the City and the Los Angeles County Flood Control District (LACFCD). The LACFCD would install an air-inflatable 6-foot high by 40-foot wide rubber dam in the Santa Monica Canyon Channel and an adjacent control building (approximately 10 feet by 10 feet) housing the rubber dam's air compressor and control panel. The CIRS would extend from its upstream end at the existing Palisades Park LFD downstream southeasterly, across the City of Los Angeles border, connecting to the existing sewer in the City of Santa Monica. The relief sewer will accommodate additional flows. The CIRS would consist of approximately 4,500 total lineal feet of pipe of varying diameters (30, 36, 42, and 48-inch). Roughly 1,400 lineal feet of the alignment would be located within Will Rogers Parking Lot 2 East and Parking Lot 1 and the remaining portion would lie within PCH right-of-way. Construction within PCH would require nighttime construction and partial lane closures. Mitigation measures have been included to ensure that any impacts are reduced to a less than significant level.

NAME AND ADDRESS OF APPLICANT IF OTHER THAN CITY AGENCY:

FINDING:

The City Engineer of the City of Los Angeles has determined that this project will not have a significant effect on the environment for the following reasons: **See attached initial study.**

SEE THE ATTACHED PAGES FOR ANY MITIGATION MEASURES IMPOSED

Any written objections received during the public review period are attached, together with the responses of the lead City agency.

THE INITIAL STUDY PREPARED FOR THIS PROJECT IS ATTACHED

PERSON PREPARING THIS FORM
Maria Martin
Environmental Supervisor

ADDRESS
1149 S. Broadway, Suite 600
Los Angeles, 90015-2213

TELEPHONE NUMBER
(213) 485-5753

SIGNATURE (Official)
Ara Kasparian, Ph.D., Manager
Environmental Management Group

A. Kasparian

DATE
08/06/08



CITY OF LOS ANGELES
CALIFORNIA ENVIRONMENTAL QUALITY ACT
INITIAL STUDY

Council District: 11

Date: August 6, 2008

Lead City Agency: Department of Public Works, Bureau of Engineering

Project Title: Santa Monica Canyon and Palisades Park Low Flow Diversion
Upgrades and Coastal Interceptor Relief Sewer

I. INTRODUCTION

A. Purpose of an Initial Study

The California Environmental Quality Act (CEQA) was enacted in 1970 for the purpose of providing decision-makers and the public with information regarding environmental effects of proposed projects; identifying means of avoiding environmental damage; and disclosing to the public the reasons behind a project's approval even if it leads to environmental damage. The Bureau of Engineering Environmental Management Group (EMG) has determined the proposed project is subject to CEQA and no exemptions apply. Therefore, the preparation of an initial study is required.

An initial study is a preliminary analysis conducted by the lead agency, in consultation with other agencies (responsible or trustee agencies, as applicable), to determine whether there is substantial evidence that a project may have a significant effect on the environment. If the initial study concludes that the project, with mitigation, may have a significant effect on the environment, an environmental impact report should be prepared; otherwise the lead agency may adopt a negative declaration or mitigated negative declaration.

The Mitigated Negative Declaration (MND) and Initial Study (IS) contained herein have been prepared in accordance with CEQA (Public Resources Code §21000 et seq.), the State CEQA Guidelines (Title 14, California Code of Regulations, §15000 et seq.), and the City of Los Angeles CEQA Guidelines (1981, amended July 31, 2002).

B. Document Format

This MND is organized into eight sections as follows:

Section I, Introduction: provides an overview of the project and the CEQA

*INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING*

environmental documentation process.

Section II, Project Description: provides a description of the project location, project background, and project components.

Section III, Existing Environment: provides a description of the existing environmental setting with focus on features of the environment which could potentially affect the proposed project or be affected by the proposed project.

Section IV, Environmental Effects/Initial Study Checklist: presents the City's Checklist for all impact areas and mandatory findings of significance. Includes discussion and identifies applicable mitigation measures.

Section V, Mitigation Measures: provides the mitigation measures that would be implemented to ensure that potential adverse impacts of the proposed project would be reduced to a less than significant level.

Section VI, List of Preparers and Persons Consulted: provides a list of key personnel involved in the preparation of this report.

Section VII, Determination – Recommended Environmental Documentation: provides the recommended environmental documentation for the proposed project; and,

Section VIII, References: provides a list of reference materials used during the preparation of this report.

C. CEQA Process

Once the adoption of a negative declaration (or mitigated negative declaration) has been proposed, a public comment period opens for no less than twenty (20) days or thirty (30) days if there is state agency involvement. The purpose of this comment period is to provide public agencies and the general public an opportunity to review the initial study and comment on the adequacy of the analysis and the findings of the lead agency regarding potential environmental impacts of the proposed project. If a reviewer believes the project may have a significant effect on the environment, the reviewer should (1) identify the specific effect, (2) explain why it is believed the effect would occur, and (3) explain why it is believed the effect would be significant. Facts or expert opinion supported by facts should be provided as the basis of such comments.

After close of the public review period, the Board of Public Works considers the negative declaration or mitigated negative declaration, together with any comments received during the public review process, and makes a recommendation to the City Council on whether or not to approve the project. One or more Council committees may then review the proposal and documents and make its own recommendation to the full City Council. The City Council is the decision-making body and also considers the negative declaration or mitigated negative declaration, together with any comments

*INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING*

received during the public review process, in the final decision to approve or disapprove the project. During the project approval process, persons and/or agencies may address either the Board of Public Works or the City Council regarding the project.

Public notification of agenda items for the Board of Public Works, Council committees and City Council is posted 72 hours prior to the public meeting. The agenda can be obtained by visiting the Council and Public Services Division of the Office of the City Clerk at City Hall, 200 North Spring Street, Suite 395; by calling 213/978-1047, 213/978-1048 or TDD/TTY 213/978-1055; or via the internet at <http://www.lacity.org/CLK/index.htm>.

If the project is approved, the City will file a notice of determination with the County Clerk within 5 days. The notice of determination will be posted by the County Clerk within 24 hours of receipt. This begins a 30-day statute of limitations on legal challenges to the approval under CEQA. The ability to challenge the approval in court may be limited to those persons who objected to the approval of the project, and to issues which were presented to the lead agency by any person, either orally or in writing, during the public comment period.

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities.

II. PROJECT DESCRIPTION

A. Location

The proposed project is located in the City of Los Angeles within the community of Pacific Palisades and extends into the northwestern limits of the City of Santa Monica. The site is located between the Pacific Palisades bluffs and Will Rogers State Beach.

The project originates adjacent to Pacific Coast Highway within the vicinity of the existing Palisades Park low flow diversion (LFD) located within Will Rogers State Beach Parking Lot 2 East, extends southerly within Will Rogers State Beach Parking Lot 1, and proceeds within Pacific Coast Highway right-of-way to its southerly terminus where the relief sewer would connect to the existing Coastal Interceptor Sewer (CIS) just south San Vicente Boulevard. Refer to Figure 1.

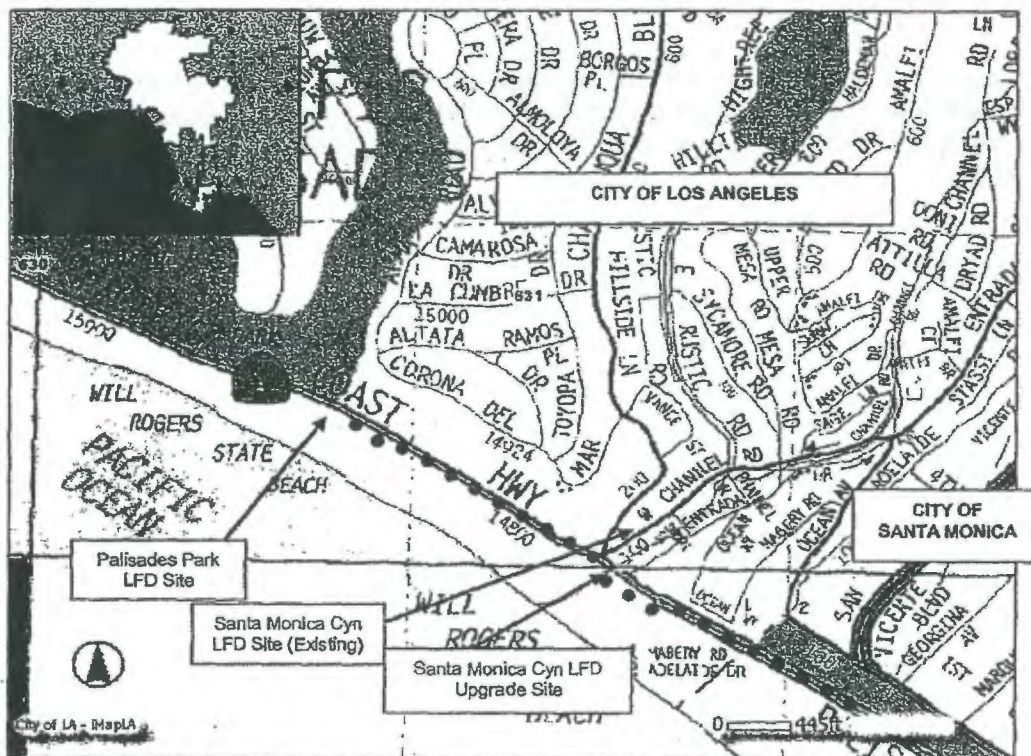


Figure 1: Project Location

• • • Relief Sewer Alignment

B. Background

The Clean Water Act (CWA) of 1972 is the governing federal regulation for water quality in the United States. The CWA provides the legal framework for several water quality regulations including National Pollutant Discharge Elimination System (NPDES) permits, effluent limitations, water quality standards, pretreatment standards, anti-degradation policy, non-point source discharge regulation, and wetlands protection. The United States Environmental Protection Agency (USEPA) has delegated the responsibility for administration of portions of the CWA to state and regional agencies. The CWA requires the California Regional Water Quality Control Board, Los Angeles Region (RWQCB-LA) to establish a total maximum daily load (TMDL) (a maximum limit for a specific pollutant that a water body can receive and still meet water quality standards) for each impaired water body found within its region, including the Santa Monica Bay.

In 1996, the RWQCB-LA identified Santa Monica Bay as being a water quality limited water body pursuant to section 303(d) of the CWA. The impairment was due to excessive levels of microbial pathogens. Because Santa Monica Bay was listed as impaired for pathogens under section 303(d), the CWA required that a TMDL be established for this water body at levels necessary to attain water quality standards. In 2002 and 2003, the RWQCB-LA and the USEPA Region IX adopted total maximum daily loads (TMDLs) for total bacterial counts for the Santa Monica Bay. As a result, the City constructed eight low flow diversion (LFD) systems to divert summer dry-weather flows from the storm drain system to the sanitary sewer, where the runoff is treated before being discharged into the ocean.

On July 15, 2009, similar regulations will be applied to winter dry-weather flows. To manage the larger winter dry-weather flows, the existing LFD systems require upgrades. Based on runoff estimates, the design capacity for the Palisades Park LFD would be 0.68 cubic feet per second (cfs) and 12 cfs for the Santa Monica Canyon LFD. It is anticipated that the additional flows from the Palisades Park and Santa Monica Canyon LFDs would impact the existing Coastal Interceptor Sewer (CIS) within the vicinity of the LFDs. To accommodate these additional flows, the City is also proposing a new gravity Coastal Interceptor Relief Sewer (CIRS).

The City's *Integrated Resources Plan Final Environmental Impact Report* (IRP FEIR) (City of Los Angeles, 2005) analyzed in accordance with CEQA, the impacts that would occur from implementing wastewater treatment and water resources management, including stormwater management. Improvements to the stormwater system were analyzed at the program level. This initial study incorporates program level analysis for projects related to the proposed project. As such, relevant information in the IRP FEIR is included in this initial study.

C. Purpose

Surface runoff from areas surrounding the project site has the potential of introducing

*INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING*

pollutants (pathogens, oil and grease, suspended solids, metals, gasoline, and others) to the stormwater conveyance system and ultimately to the receiving waters, Santa Monica Bay in this instance. The purpose of the proposed project is to divert winter dry-weather flows from the storm drain system to the sanitary sewer system to help the City meet the winter dry-weather bacteria TMDL requirements mandated by the RWQCB-LA and the USEPA for the Santa Monica Bay Beaches. As a result, runoff from both summer dry-weather period (April 1 to October 31) and the winter dry-weather period (November 1 to March 31), would be diverted to the sewer system and conveyed to the Hyperion Treatment Plant, where it would be treated prior to discharge into the ocean.

The goals of the project are to increase the beneficial and recreational uses of the receiving water bodies (the Santa Monica Bay), reduce risks to human safety and health, reduce beach closures, preserve aquatic and marine habitat, and benefit the tourism industry.

The project is funded by Proposition O, a \$500 million Clean Water Bond Measure approved by the City of Los Angeles voters November 5, 2004, with the objective of protecting public health by cleaning up pollution, including bacteria and trash, in the City's watercourses, beaches and oceans. Implementation of these projects will position the City to meet federal CWA requirements.

D. Description

The proposed project consists of the upgrade of the existing Palisades Park and Santa Monica Canyon LFDs and the construction of a 4,500-foot long relief sewer of varying diameters (30, 36, 42, and 48-inch). Each LFD system would consist of a diversion structure, a trash/debris collection structure, and a pumping system to pump diverted flows into the CIRS, which would convey the diverted flow to the Hyperion Treatment Plant for further treatment. Figure 2 below shows a typical low flow diversion.

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

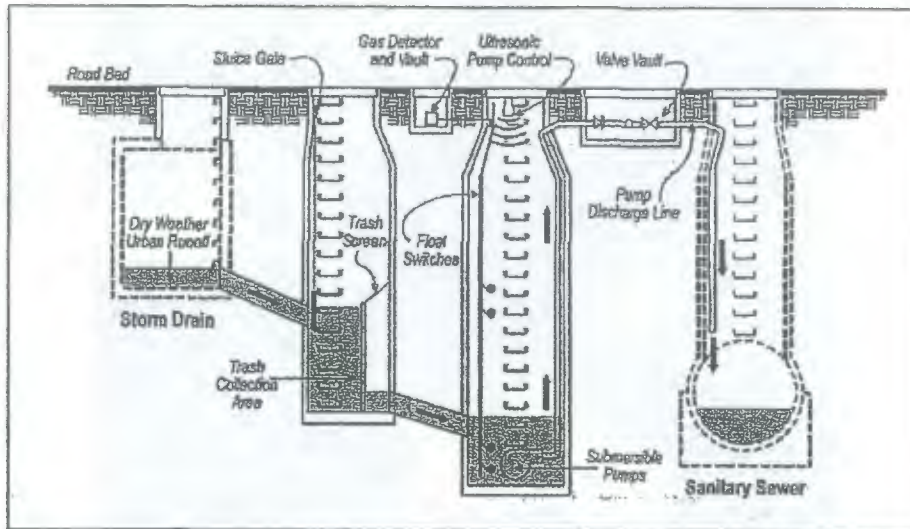


Figure 2: Typical Low Flow Diversion

The Palisades Park LFD system upgrades consist of two new maintenance holes adjacent to the existing LFD system. One would house a new wet well with two new pumps and the other a new trash/debris collection maintenance structure. Ultrasonic level sensors would be added in the new and existing wet wells and trash maintenance holes. With the exception of covers and hatches, all these structures would be below grade. Modifications to the existing above grade electrical panel would include the addition of relays and programmable logic controller (PLC) modules. A new electrical panel for the new motor starters and control relays would be added. The control panel box would be approximately 48-inches tall. Work would also include piping and electrical conduit installation.

A new LFD system would be installed within Will Rogers State Beach Parking Lot 1, east of the multiuse (pedestrian/bike) path bridge at the mouth of the Santa Monica Canyon Channel (Figure 3). The existing Santa Monica Canyon LFD would be left in place within West Channel Road for redundancy and system reliability.

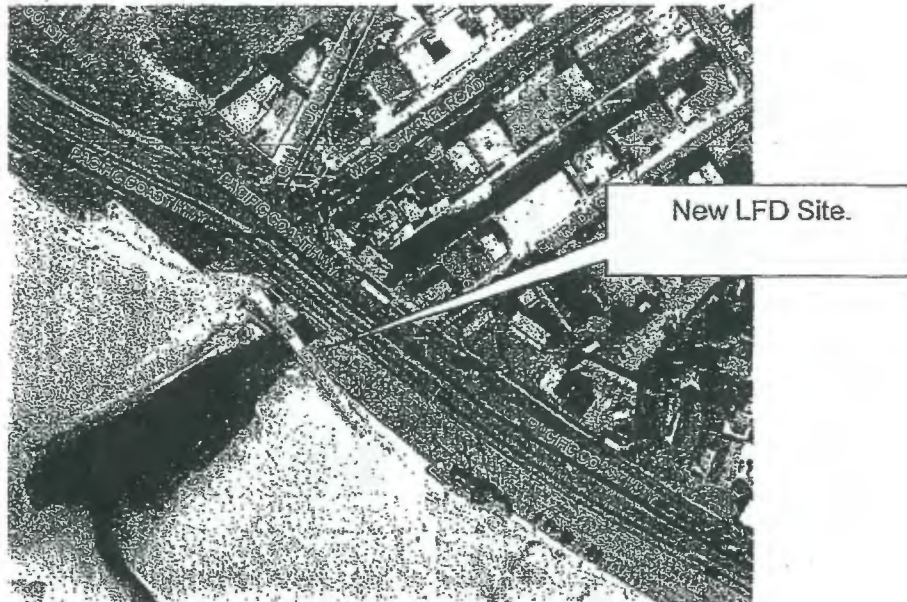


Figure 3: Proposed Santa Monica Canyon LFD Site

The City would construct a 20-foot by 12-foot concrete wet well with three pumps, a dual trash/debris maintenance hole structure (approximately 9-foot by 9-foot), and a valve vault. With the exception of covers and hatches, all these structures would be below grade. Additional equipment would consist of an electrical power and control panel with an adjacent meter pedestal that would be installed above grade. The control panel box would be approximately 48-inches tall. Work would also include piping and electrical conduit installation. The Los Angeles County Flood Control District (LACFCD) would install an air-inflatable 6-foot high by 40-foot wide rubber dam in the concrete-lined Santa Monica Canyon flood channel within the vicinity of the multiuse (pedestrian/bike) path bridge. The channel bottom is located at 2.7 feet above mean sea level (msl) at the proposed rubber dam location. Since the high tide within the vicinity of the project area is just below five feet above msl, the rubber dam would be subject to the tidal influence, but would not allow ocean water intrusion when operational. The rubber dam would be fully deflated during winter storm events to allow the discharge of storm flows to the ocean and provide adequate flood protection. A control building would house the rubber dam's air compressor and control panel. The LACFCD anticipates the building would be located partly below grade, and would be approximately 10 feet by 10 feet with a height of no more than four feet above the top of the Santa Monica Canyon Channel.

Construction of the Santa Monica Canyon LFD would be a joint cooperative effort between the City and the Los Angeles County Flood Control District. The City would be responsible for the design and construction of the LFD's intake system, consisting of the channel outlet, trash/separator, wet well with pumps, and related control equipment. The LACFCD would be responsible for the design and construction of the diversion

*INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING*

structure, consisting of a rubber dam and its control building structure.

The CIRS would extend from its upstream end at the existing Palisades Park LFD downstream southeasterly, across the City of Los Angeles border, into the City of Santa Monica, where a connection would be made to the existing 60-inch sewer. The CIRS would consist of approximately 4,500 total lineal feet of pipe. Roughly 1,400 lineal feet of the alignment would be located within Will Rogers Parking Lot 2 East and Parking Lot 1 and the remaining portion would lie within Pacific Coast Highway right-of-way.

A concrete diversion structure with stop logs and three (two 36-inch and one 24-inch) maintenance hole covers would be constructed at the northern terminus of the project. Approximately 4,300 lineal feet of reinforced concrete pipe (RCP) of varying diameters (30, 36, 42, and 48-inch) and 50 lineal feet of 24-inch ductile iron pipe forcemain would be installed along the alignment. Seventeen additional maintenance holes (six and seven feet in diameter) would be installed at various locations along the sewer alignment. A transition structure would be constructed to connect the CIRS to the existing 60-inch diameter sewer at the southerly terminus of the project.

An inverted siphon, consisting of approximately 220 lineal feet of 20-inch ductile iron pipe (DIP) would be installed underneath the existing Santa Monica Canyon Channel and pedestrian tunnel. Two siphon airlines, approximately 150 lineal feet each of 16-inch polyvinyl chloride (PVC) pipe and two siphon structures with stop logs would also be installed.

All facilities for the CIRS, with the exception of maintenance hole covers at the ground surface and roughly sixty (60) lineal feet of the siphon airline, would be below grade. The siphon airline, roughly 245-feet of concrete-encased PVC pipe, will predominantly run below grade. A typical cross section of the pipe encasement is 4-feet horizontal by 2.1-feet vertical. Approximately thirty (30) lineal feet of the siphon airline would protrude roughly 0.9-feet above ground adjacent to the existing bike path, as needed to cross over the existing pedestrian tunnel. This is located north of the Santa Monica channel and east of the concrete bike path, in the existing sand area between the pedestrian staircase and the bike path. The other forty (40) lineal feet of the siphon airline would hang underneath the existing bike path/pedestrian bridge that spans the width of the Santa Monica Canyon Channel, and would be concealed between the two bridge beams. It is anticipated that construction of the CIRS siphon airline would require temporary closure of the existing multi-use path. A temporary reroute or alternate route would be provided to minimize impacts.

Construction of the CIRS would involve the sequential placement of pipe section in open-cut trenches. Tunneling would be required for the construction of the inverted siphon at the Santa Monica Canyon Channel. A 40-foot wide area, which would include temporary construction staging areas, would typically be impacted by the construction of the sewer pipe. The trench depth for the sewer pipe would vary from approximately seven (7) feet to 15 feet, and trench shoring would be required. Excavated material is anticipated to be unsuitable for trench backfill, containing rocks, boulders, concrete

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

chunks, and foreign material, thus would need to be properly hauled off-site. Accordingly, trench backfill should be free from these materials and imported fill may be required.

Construction within a state highway, such as Pacific Coast Highway, is subject to approval from the State of California Department of Transportation (Caltrans). Temporary lane closures would be required to construct the sewer segments located within the highway's right-of-way (Figure 4). The number of lanes and the duration of the lane closures would be based on requirements of Caltrans' encroachment permit. However, lane closures are anticipated to occur in segments and would be limited to off-peak times, including nighttime hours.

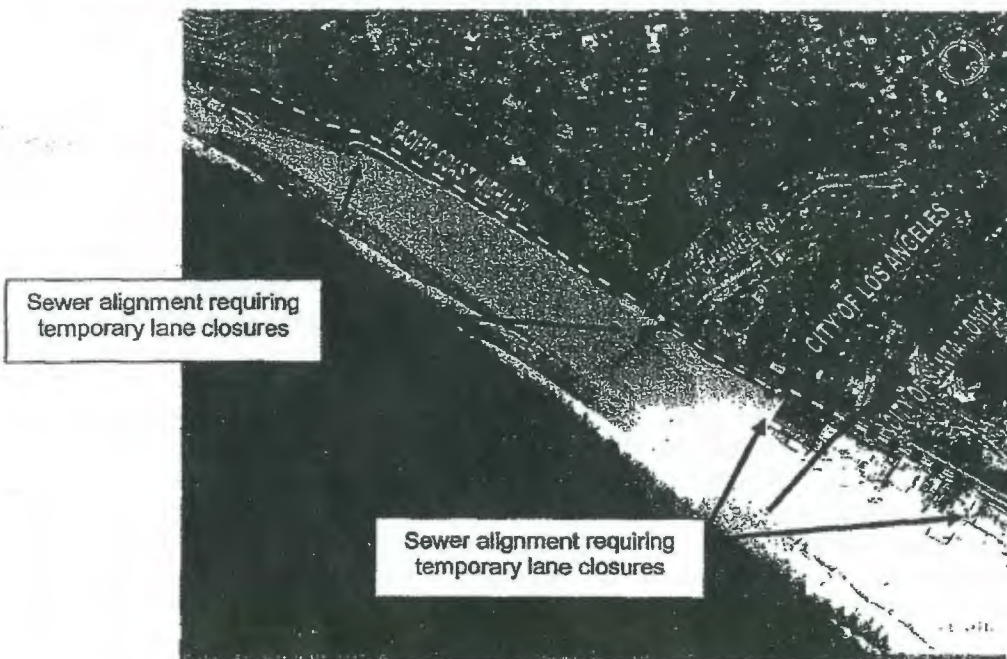


Figure 4: Pacific Coast Highway Locations Requiring Temporary Lane Closures
(CIRCS Alignment)

The proposed project and environmental documentation, including this initial study/mitigated negative declaration, would require approval by the City of Los Angeles Board of Public Works and City Council. The project is also anticipated to require permits or approvals from the following agencies:

- U.S. Army Corps of Engineers, work within Santa Monica Canyon flood control channel
- State of California Coastal Commission, Coastal Development Permit
- State of California Department of Transportation (Caltrans), state highway

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

- encroachment
- State of California Department of Fish and Game, streambed alteration agreement
- State Water Resources Control Board/ RWQCB-LA, NPDES General Construction Permit
- LACFCD, work within Santa Monica Canyon flood control channel
- Los Angeles County Department of Beach and Harbors, work within Will Rogers State Beach
- State Lands Commission, work within Will Rogers State Beach
- City of Los Angeles Public Works Department, BOE, Local Coastal Permit
- City of Santa Monica, for connection to sewer within Santa Monica's jurisdiction

The analysis in this document assumes that, unless otherwise stated, the project will be designed, constructed and operated following all applicable laws, regulations, ordinances and formally adopted City standards (e.g., *Los Angeles Municipal Code* and *Bureau of Engineering Standard Plans*). Construction will follow the uniform practices established by the Southern California Chapter of the American Public Works Association (e.g., *Standard Specifications for Public Works Construction* and the *Work Area Traffic Control Handbook*) as specifically adapted by the City of Los Angeles (e.g., The City of Los Angeles Department of Public Works Additions and Amendments to the *Standard Specifications For Public Works Construction* [AKA "The Brown Book," formerly *Standard Plan S-610*]).

III. EXISTING ENVIRONMENT

The project site is located approximately 15 miles west of downtown Los Angeles. The LFD sites and a major portion of the sewer pipe would be located within the City of Los Angeles. However, at the southern terminus, approximately 400 linear feet of the sewer pipe would lie within the City of Santa Monica.

The project site lies within the USGS Topanga Topographic Quadrangle and within the Santa Monica Bay watershed which extends from Malibu to the north to El Segundo to the south. The northwestern portion of the site is located within the Brentwood-Pacific Palisades Community Plan area of the City of Los Angeles. Will Rogers State Beach Parking Lot 1 and Lot 2 East are zoned for open space uses within a limited height district (OS-IXL). Adjacent land uses within the City of Los Angeles consist primarily of open space (Will Rogers State Beach), residential (single and multiple dwellings such as apartments), and commercial uses. Adjacent land uses within the City Santa Monica consist primarily of residential (single and multiple dwellings such as apartments), visitor, commercial, beach parking and open space. The proposed project is located within the California Coastal Zone and is therefore subject to the regulations of the Coastal Act (Public Resources Code Section 3000 et. seq.)

The Brentwood-Pacific Palisades Community Plan identifies Pacific Coast Highway as a major scenic highway. Pacific Coast Highway is also a state highway (State Route 1) under the California Department of Transportation (Caltrans) jurisdiction. Within the

*INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING*

vicinity of the project site, West Channel Road is designated as a secondary highway, and Entrada Drive is a local street.

The project site is located adjacent to the coastal margin of the Los Angeles Basin and along the southern edge of the Santa Monica Mountains. The Santa Monica Mountains are part of the Transverse ranges Geomorphic Province. Santa Monica Canyon Channel collects runoff from both Santa Monica Canyon and Rustic Canyon. The two streams join approximately 900 feet inland from Pacific Coast Highway. Santa Monica Canyon Channel is concrete-lined upstream from beyond the confluence with Rustic Canyon to where it discharges onto the beach seaward of the Pacific Coast Highway bridge. The channel is devoid of vegetation. Summer dry-weather flows are currently diverted by the existing LFD located within West Channel Road upstream of the proposed new location.

The California Department of Conservation, California Geological Survey's Seismic Hazard Zonation Program Map indicates that the project site is not within an Alquist-Priolo Earthquake Fault Zone. The nearest Alquist-Priolo zone to the project site is located approximately 7 miles to the east-northeast of the site. However, the project site is located within the Fault Rupture Study Zone associated with the Santa Monica Fault. The Santa Monica Fault is generally shown as two branches, the northern branch (Potrero Canyon Fault) and the southern branch. The Potrero Canyon Fault traverses Pacific Coast Highway just north of the project's proposed northern terminus and the Santa Monica Fault within the vicinity of the City boundary near the southern terminus. The project site is also in a liquefaction zone, and portions of the alignment are located within a tsunami hazard area. Additionally, although the project site itself is not located with a landslide area, the coastal bluffs adjacent to Pacific Coast Highway are located within such area. A project segment within the vicinity of the Santa Monica Channel would be located within the 500-year flood plain (Flood Zone B, per FEMA Map No. 060137 0076D and 060137 0069D, dated February 4, 1987) and the diversion structure for the LFD would be located within the floodway.

Based on the Geologic Map of the Palisades Area (McGill, 1989), the project site is underlain by artificial fill and Quaternary-age surficial units consisting of beach deposits described as fine to medium-grained sand with rounded pebble gravel locally present.

A biological assessment conducted November 2000 for the Santa Monica Canyon LFD project indicates that no vegetation was observed at the mouth of the channel and only common avian species (pigeons, sea gulls, and mallard ducks) were observed at the mouth of the channel and along Will Rogers State Beach. Additionally, in 2001 a tidewater goby (TWG) survey was conducted by Dave Crawford, senior biologist with Impact Sciences to meet requirements of the California Department of Fish and Game for the construction of the existing Santa Monica Canyon LFD. Mr. Crawford concluded that the resulting substrate, lack of natural aquatic biota, salinity levels, and overall surrounding developed condition all contribute to a habitat that is unsuitable for persistence of TWG. Mr. Crawford further concluded that based on these factors and the negative results of the focused survey, the drainage does not support TWG and

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

would not be expected to in the future under similar conditions.

A site visit was conducted August 9, 2007 to confirm site conditions. Site conditions remain unchanged since the 2000 biological assessment and 2001 TWG survey. The project site consists mostly of paved surfaces and a small area of the concrete-lined channel near the mouth of the Santa Monica Canyon Channel. With the exception of small patches of ruderal plant species such as ice plant, the site is devoid of vegetation. Several mallard ducks were observed at the mouth of the channel. Pigeons and sea gulls were observed along Will Rogers State Beach within the vicinity of the project site. The vegetation within the adjacent coastal bluff areas has been highly disturbed due to urbanization and landslides and consists of fragmented patches of vegetation dominated by annual grasses, tree tobacco (*Nicotiana glauca*), coyote brush (*Baccharis pilularis*), saltbush (*Atriplex lentiformis*), and laurel sumac (*Malosma laurina*).

According to the *Western Snowy Plover Recovery Plan* (U.S. Fish and Wildlife, August 2007), a critical habitat subunit for the federally threatened western snowy plover (*Charadrius alexandrinus nivosus*) stretches approximately 0.9 miles along the beach area adjacent to the project site, from the vicinity of the mouth of Santa Monica Canyon Channel southeasterly to Montana Avenue. This habitat subunit is identified as CA 21B (Santa Monica Beach) (Federal Register Vol. 70, No. 242) and includes bare sand that could potentially support nesting habitat for the western snowy plover. However, the management objective of the Recover Plan for this beach is to protect it as a wintering site for the plovers and has no breeding (zero) goal for this beach.

The City of Santa Monica implements habitat management activities that include installation of winter fencing within the critical habitat. The Los Angeles and Santa Monica Bay Audubon Societies, in cooperation with other agencies and volunteers, monitor the beach from Chataqua Boulevard to the Santa Monica Peer. Sixteen snowy plovers were observed in the winter of 2006 and nineteen plovers were observed during the first survey in the spring of 2007. No nests have been recorded to date. Most of the plover sightings for the winter-spring 2007 surveys were within the protected fencing. Primary threats to wintering plovers in this area include disturbance from human recreational use, beach raking, vehicle strikes, off-leash dogs, American crows, and common ravens.

IV. ENVIRONMENTAL EFFECTS/INITIAL STUDY CHECKLIST

This section documents the screening process used to identify and focus upon environmental impacts that could result from this project. The Initial Study Checklist below follows closely the form prepared by the Governor's Office of Planning and Research and was used in conjunction with the City's *CEQA Thresholds Guide* and other sources to screen and focus upon potential environmental impacts resulting from this project. Impacts are separated into the following categories:

- No Impact. This category applies when a project would not create an impact in the specific environmental issue area. A "No Impact" finding does not require an

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

explanation when the finding is adequately supported by the cited information sources (e.g., exposure to a tsunami is clearly not a risk for projects not near the coast). A finding of "No Impact" is explained where the finding is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

- Less Than Significant Impact. This category is identified when the project would result in impacts below the threshold of significance, and would therefore be less than significant impacts.
- Less Than Significant After Mitigation. This category applies where the incorporation of mitigation measures would reduce a "Potentially Significant Impact" to a "Less Than Significant Impact." The mitigation measures are described briefly along with a brief explanation of how they would reduce the effect to a less than significant level. Mitigation measures from earlier analyses may be incorporated by reference.
- Potentially Significant Impact. This category is applicable if there is substantial evidence that a significant adverse effect might occur, and no feasible mitigation measures could be identified to reduce impacts to a less than significant level. If there are one or more "Potentially Significant Impact" entries when the determination is made, an Environmental Impact Report (EIR) is required. There are no such impacts for the proposed project.

Sources of information that adequately support findings of no impact are referenced following each question. All sources so referenced are available for review at the offices of the Bureau of Engineering, 1149 South Broadway, Suite 600, Los Angeles, California 90015. (Call Maria Martin at (213) 485-5753 for an appointment.) Answers to other questions (as well as answers of "no impact" that need further explanation) are discussed following each question.

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant	No Impact
--------	--------------------------------	---------------------------------------	-----------------------	-----------

1. AESTHETICS – Would the project:

- a) Have a substantial adverse effect on a scenic vista?

☐ ☐ ☒ ☐

Reference: *IRP EIR, L.A. CEQA Thresholds Guide* (Sections A.1 and A.2), and *Brentwood Pacific Palisades Community Plan*

Comment: A scenic vista generally provides focal views of objects, settings, or features of visual interest; or panoramic views of large geographic areas of scenic quality, primarily from a given vantage point. A significant impact may occur if the proposed project introduced incompatible visual elements within a field of view containing a scenic vista or substantially altered a view of a scenic vista.

The project would be located adjacent and along the seaward side of Pacific Coast Highway. Motorists have views of the ocean as they drive within the vicinity of the project area. The site is located within an urbanized area where views of the ocean are interrupted by various man-made structures, including beach parking lots, buildings, electrical poles, signs, traffic signals, guard rails, and fencing for a pedestrian bridge over the Santa Monica Canyon Channel.

Most of the project elements would be located below grade. However, the control panel boxes for the LFDs and the control building for the inflatable dam would be located above grade and clustered within the vicinity of existing structures. The boxes housing these elements and the control building would be sized and located as to minimize impacts to views along the ocean. Construction would be subject to applicable mitigation required under the *IRP EIR*. Mitigation measure AES-MM-4 from the *IRP EIR* is incorporated into this project and added as Mitigation Measure AES-1 to this Initial Study:

Mitigation Measure AES-1: To the extent feasible, permanent structures shall be designed and located in a manner that does not remove, alter, or destroy an existing valued natural or urban feature that contributes to the valued aesthetic character of an area; or so that key views are not blocked.

- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

☐ ☐ ☒ ☐

Reference: California Scenic Highway Mapping System, *L.A. CEQA Thresholds Guide* (Sections A.1 and A.2) and *Brentwood Pacific Palisades Community Plan*

Comment: A significant impact may occur where scenic resources within a state scenic highway would be damaged or removed as a result of the proposed project.

Although not formally designated as a state scenic highway, within the vicinity of the project site, Pacific Coast Highway is identified as eligible in the California Scenic Highway Mapping System. Additionally, the *Brentwood Pacific Palisades Community Plan* designates Pacific Coast Highway as a scenic highway. However, as discussed above, the project elements located above grade would be sized and located as to minimize impacts to views from the highway.

- c) Substantially degrade the existing visual character or quality of the site and its surroundings?

☐ ☐ ☒ ☐

Reference: *L.A. CEQA Thresholds Guide* (Sections A.1 and A.2)

Comment: A significant impact may occur if the proposed project introduced incompatible visual elements to the project site or visual elements that would be incompatible with the character

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant	No Impact
--------	--------------------------------	---------------------------------------	-----------------------	-----------

of the area surrounding the project site.

See comment for 1 (a) above.

- d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

☐ ☐ ☒ ☐

Reference: *L.A. CEQA Thresholds Guide* (Section A.4)

Comment: A significant impact would occur if the proposed project caused a substantial increase in ambient illumination levels beyond the property line or caused new lighting to spill-over onto light-sensitive land uses such as residential, some commercial and institutional uses that require minimum illumination for proper function, and natural areas.

No new sources of light or glare would be built. Construction lighting would be used as necessary on a temporary basis and would be governed by Municipal Code and Standard Specifications designed to minimize impacts (e.g. it would be shielded and directed toward the construction, away from residences).

2. AGRICULTURE RESOURCES – Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

☐ ☐ ☐ ☒

Reference: CDC - Div. of Land Resource Protection, City of Los Angeles General Plan Conservation Element, Zone Information & Map Access System (ZIMAS)

Comment: A significant impact may occur if the proposed project were to result in the conversion of state-designated agricultural land from agricultural use to a non-agricultural use.

No prime or unique farmland, or farmland of statewide importance, exists within the City of Los Angeles. The project site is not located on or near any property zoned or otherwise intended for agricultural uses.

- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

☐ ☐ ☐ ☒

Reference: CDC - Div. of Land Resource Protection, City of Los Angeles General Plan Conservation Element, Zone Information & Map Access System (ZIMAS)

Comment: A significant impact may occur if the proposed project were to result in the conversion of land zoned for agricultural use, or indicated under a Williamson Act contract, from agricultural use to a non-agricultural use.

No land on or near the project site is zoned for or contains agricultural uses. The City of Los Angeles does not participate in the Williamson Act. Therefore, there are no Williamson Act properties in the City of Los Angeles.

- c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland, to non-agricultural use?

☐ ☐ ☐ ☒

Reference: CDC - Div. of Land Resource Protection, , City of Los Angeles General Plan Conservation Element, Zone Information & Map Access System (ZIMAS)

Comment: A significant impact may occur if a project results in the conversion of farmland to another non-agricultural use.

See Comments for 2 (a) and 2 (b) above.

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant	No Impact
--------	--------------------------------	---------------------------------------	-----------------------	-----------

3. AIR QUALITY – Would the project:

- a) Conflict with or obstruct implementation of the applicable air quality plan? ☐ ☐ ☐ ☒

Reference: *Brentwood-Pacific Palisades Community Plan* and *L.A. CEQA Thresholds Guide* (Sections B1 and B2)

Comment: The proposed project is located within the South Coast Air Basin which is under the jurisdiction South Coast Air Quality Management District (SCAQMD). The SCAQMD is the air pollution control district responsible for the Air Quality Management Plan (AQMP), which is a comprehensive air pollution control program for attaining state and federal ambient air quality standards. As part of its General Plan, the City adopted an Air Quality Element that contains policies and goals for attaining state and federal air quality standards, while simultaneously facilitating local economic growth and includes implementation strategies for local programs contained in the AQMP. A significant impact would occur if the project were not consistent with the AQMP or the City's General Plan.

The *Brentwood-Pacific Palisades Community Plan* recognizes the need to ensure the availability of adequate public facilities. The proposed project would serve existing and intended land uses and would not include regional employment or population growth. The main objectives of the project are to meet regulatory requirements and improve water quality. The project would also not result in a violation of air quality standards, as discussed in item 3(b) below. The project would therefore be consistent with the AQMP.

- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? ☐ ☐ ☒ ☐

Reference: *L.A. CEQA Thresholds Guide* (Sections B1 and B2)

Comment: A significant impact may occur if the proposed project violated any SCAQMD air quality standard. The SCAQMD has set thresholds of significance for reactive organic gases (ROG), nitrogen oxides (NOx), carbon monoxide (CO), sulfur dioxide (SO₂), and particulate matter (PM10) emissions resulting from construction and operation in the South Coast Air Basin.

Construction emissions have been estimated using the URBEMIS 2007 (Version 9.2.4) computer model recommended by the SCAQMD. As shown below, daily construction emissions would not exceed SCAQMD significance thresholds.

	ROG lbs/day	NOX lbs/day	CO lbs/day	SOX lbs/day	PM10 lbs/day
Construction Peak Daily Emissions	10.68	96.81	45.11	0.03	22.52
SCAQMD Construction Emission Thresholds	75	100	550	150	150

Minimal operation emissions are anticipated since the pumps are electrically driven and once operational, minimal onsite maintenance is anticipated. The total emissions from worker vehicle exhaust are considered negligible and should not exceed SCAQMD daily operational emission thresholds or have a significant impact on air quality.

Since all constituents would be below emission standards established by the SCQMD, air quality impacts would be less than significant. Nonetheless, contractors would be required to follow all applicable SCAQMD rules and regulations, including AQMD Rule 403 (Fugitive Dust)

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant	No Impact
--------	--------------------------------	---------------------------------------	-----------------------	-----------

and 431 (Diesel Equipment), to minimize air quality impacts. Contractors, for example, would water dusty areas and minimize the tracking of soil from unpaved dirt areas to paved roads.

- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?

☐ ☐ ☒ ☐

Reference: IRP EIR, L.A. CEQA Thresholds Guide (Sections B1 and B2), 2006 State Area Designation Maps from <http://www.arb.ca.gov/desig/adm/adm.htm#state>

Comment: A significant impact would occur if the proposed project resulted in a cumulatively considerable net increase of a criteria pollutant for which the South Coast Air Basin exceeds federal and state ambient air quality standards and has been designated as an area of non-attainment by the USEPA and/or California Air Resources Board. The South Coast Air Basin is a non-attainment area for ozone fine particulate matter (PM10), and carbon monoxide (federal only).

As indicated in item 3(b) above, construction and operational emissions of the project would not exceed the SCAQMD's thresholds of significance for criteria pollutants. For those emissions generated during construction, the minor generation of criteria pollutants would be temporary and short-term in nature.

Although significant construction air quality impacts were identified for the IRP projects, which are considered related projects, construction periods are not expected to overlap. Additionally, mitigation measures were included to minimize potential impacts. The proposed project would be a much smaller-scale near term project with construction anticipated to be completed by December 2010.

Climate change has been at the forefront of research and policy in recent years. In June 2005, California Governor Arnold Schwarzenegger signed Executive Order (E.O.) S-3-05. The goal of this E.O. is to reduce the state's greenhouse gas (GHG) emissions, including carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride emissions, to 2000 levels by 2010, 1990 levels by 2020, and 80% below the 1990 levels by the year 2050. On 2006, the California Global Warming Solutions Act, also known as Assembly Bill (AB) 32, established a cap on statewide greenhouse gas (GHG) emissions, called for a regulatory framework to achieve the corresponding emissions reduction, and charged the California Air Resources Board (CARB) with implementation of the act.

When dealing with air quality issues related to operation emissions, thresholds are usually compared to the net change in emissions compared to baseline conditions (normally existing conditions with no project). However, the project's purpose is to meet Clean Water Act regulatory mandates. Thus, the City does not have a "no project" option. The proposed project would divert low-flows from two existing storm drains into the sanitary sewer and eventually to the nearest City treatment plant (Hyperion in this instance) rather than proposing treatment on-site, which would require construction of an on-site treatment facility. GHG emissions are tied to energy consumption, in general, the more energy used the higher the emissions. Based on pre-design information, no substantial difference in energy use was identified for runoff treatment on-site vs. off-site. The project would incorporate energy efficiency through selection of energy efficient motors and pumps thus optimizing energy consumption as feasible.

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant	No Impact
--------	--------------------------------	---------------------------------------	-----------------------	-----------

- d) Expose sensitive receptors to substantial pollutant concentrations? ☐ ☐ ☒ ☐

Reference: *L.A. CEQA Thresholds Guide* (Sections B1, B2, and B3)

Comment: A significant impact would occur if construction or operation of the proposed project generated pollutant concentrations to a degree that would significantly affect sensitive receptors.

As discussed above, the proposed project is not anticipated to result in substantial pollutant concentrations.

- e) Create objectionable odors affecting a substantial number of people? ☐ ☐ ☒ ☐

Reference: *L.A. CEQA Thresholds Guide* (Sections B1 and B2)

Comment: A significant impact would occur if the project created objectionable odors during construction or operation that would affect a substantial number of people.

During construction, the project may generate objectionable odors as sewer connections are made during diversion. However, the City and its contractors would implement applicable odor control measures for sewer projects, such as the use of temporary air scrubber units. At the northern terminus, the diversion structure would be designed to reduce turbulence in the existing sewer line and thus reduce potential objectionable odors.

Other construction sources of odor are diesel emissions from construction equipment and volatile organic compounds from sealant applications or paving activities. However, these odors would be temporary and localized. Nonetheless, applicable best management practices such as those in SCAQMD Rule 431 (Diesel Equipment) would, in addition to minimizing air quality impacts, also help minimize potential construction odors.

4. BIOLOGICAL RESOURCES – Would the project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? ☐ ☐ ☒ ☐

Reference: CNDDDB, City of Los Angeles General Plan, City of Los Angeles General Plan Conservation Element, IRP EIR, *L.A. CEQA Thresholds Guide* (Section C), U.S. Fish and Wildlife Service Habitat Conservation Plan (HCP) Program, U.S. Fish and Wildlife Service Critical Habitat Database (<http://crithab.fws.gov/>)

Comment: A significant impact may occur if the proposed project would remove or modify habitat for any species identified or designated as a candidate, sensitive, or special status species in local or regional plans, policies, or regulation, or by the state or federal regulatory agencies cited.

The project site consists of paved parking lots and a paved roadway and is devoid of trees or significant vegetation. No habitat or sensitive natural community occurs within the project area. The CNDD lists occurrences of the following plant and animal species which are federally and/or state listed as endangered or threatened species within the USGS Topanga Quadrangle:

Brouton's milk-vetch (*Astragalus broutonii*), Ventura Marsh milk-vetch (*Astragalus*

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant	No Impact
--------	--------------------------------	---------------------------------------	-----------------------	-----------

psycnostachyus var. *lanosissimus*), coastal dunes milk-vetch (*Astragalus tener* var. *titi*), salt marsh bird's-beak (*Cordylanthus maritimus* ssp. *maritimus*), beach spectaclepod (*Dithyrea maritima*), Santa Monica dudleya (*Dudleya cymosa* ssp. *ovatifolia*), and southern steelhead (*Oncorhynchus mykiss irideus*).

However, Ventura Marsh milk-vetch salt marsh and bird's-beak were listed as extirpated (removed or destroyed) and no habitat associated with or suitable for the other listed species was identified within the project site.

The western snowy plover is federally listed as threatened and is a bird species of special concern in California. Western snowy plover critical habitat and coastal resources occur within the vicinity of the project site. Although the areas that the plovers occupy vary year to year, the plovers tend to remain on sandy beach areas between the low tide and approximately 100 to 150 feet inland. Annual surveys of the area are lead by the Audobon Society and the City of Santa Monica implements habitat protection activities, including the installation of fencing of the areas known to be used by the plovers.

The project site is within and immediately adjacent to Pacific Coast Highway and consists mostly of hardscape areas, paved parking lots and roadway. Due to the proximity of the project site to the busy highway and the multi-use pedestrian/bike path, plovers are not anticipated to occur within the vicinity of the project site. Nonetheless, mitigation measure BIO-1 below and best management practices to protect water quality would be implemented during construction to ensure no adverse impacts occur as a result of construction activities. Once constructed, the project would have a positive impact on water quality by decreasing pollutants that reach coastal waters and would ultimately result on improved coastal habitat.

Mitigation Measure BIO-1: A preconstruction survey by a qualified biologist shall be conducted for any construction within the sandy areas to ensure that no western snowy plovers are in the immediate project vicinity. As applicable, the biologist would make recommendations based on the results of the survey to prevent any impacts to western snowy plovers.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

☐ ☐ ☒ ☐

Reference: CNDDDB, City of Los Angeles General Plan Conservation Element, L.A. CEQA Thresholds Guide (Section C), U.S. Fish and Wildlife Service Habitat Conservation Plan (HCP) Program, U.S. Fish and Wildlife Service Critical Habitat Database (<http://crrhab.fws.gov/>)

Comment: A significant impact may occur if riparian habitat or any other sensitive natural community were to be adversely modified.

See comment for 4 (a).

- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

☐ ☐ ☒ ☐

Reference: L.A. CEQA Thresholds Guide (Section C)

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant	No Impact
--------	--------------------------------	---------------------------------------	-----------------------	-----------

Comment: A significant impact may occur if federally protected wetlands, as defined by Section 404 of the Clean Water Act, would be modified or removed.

The project would divert water from the existing Santa Monica Canyon Channel which is a man-made channel devoid of vegetation. As indicated above, the site does not provide significant habitat for plants or animals. The diversion and treatment of stormwater runoff is urgently needed to meet bacteria TMDL requirements. The project would protect the health of hundreds of thousands of visitors to Will Rogers State Beach. Summer low-flow runoff is already being diverted upstream of the proposed location. This upgrade is needed to divert low flows year round. As applicable, the U.S. Army Corps of Engineers and California Department of Fish and Game, through their permitting process, would add conditions to the project approval if needed to protect jurisdictional waters.

- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? ☐ ☐ ☒ ☐

Reference: L.A. CEQA Thresholds Guide (Section C)

Comment: A significant impact may occur if the proposed project interfered or removed access to a migratory wildlife corridor or impeded the use of native wildlife nursery sites.

As discussed above, the proposed project site consists mostly of paved surfaces. The project area within the concrete-lined channel does not provide significant habitat for plants or animals. Additionally, mitigation measure BIO-1 and best management practices to protect water quality would be implemented during construction to ensure no adverse direct or indirect impacts occur as a result of construction activities. Therefore, the project is not expected to have an impact on habitat suitable for wildlife movement or migration.

- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? ☐ ☐ ☐ ☒

Reference: L.A. CEQA Thresholds Guide (Section C)

Comment: A significant impact may occur if the proposed project would cause an impact that was inconsistent with local regulations pertaining to biological resources.

No sensitive or protected tree species, or habitat, occur on the project site.

- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? ☐ ☐ ☐ ☒

Reference: CNDDB, City of Los Angeles General Plan, City of Los Angeles General Plan Conservation Element, L.A. CEQA Thresholds Guide (Section C), U.S. Fish and Wildlife Service Habitat Conservation Plan (HCP) Program

Comment: A significant impact may occur if the proposed project would be inconsistent with mapping or policies in any conservation plans of the cited type.

See comments for 4 (a) through (e).

5. CULTURAL RESOURCES – Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations Section 15064.5? ☐ ☐ ☐ ☒

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant	No Impact
--------	--------------------------------	---------------------------------------	-----------------------	-----------

Reference: *L.A. CEQA Thresholds Guide* (Section D.3), City of Los Angeles Cultural Heritage Commission "Historic-Cultural Monuments (HCM) Report by Planning Community", Brentwood-Pacific Palisades Community Plan, *Archaeological Investigation for Proposition O and CIS Projects, City of Los Angeles, Los Angeles County, California*

Comment: A significant impact may result if the proposed project caused a substantial adverse change to the significance of a historical resource (as identified above).

No historic resources were identified within the project area or vicinity.

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations Section 15064.5?

☐ ☐ ☒ ☐

Reference: *L.A. CEQA Thresholds Guide* (Section D.3), City of Los Angeles Cultural Heritage Commission "Historic-Cultural Monuments (HCM) Report by Planning Community", Brentwood-Pacific Palisades Community Plan, *Archaeological Investigation for Proposition O and CIS Projects, City of Los Angeles, Los Angeles County, California*

Comment: A significant impact may occur if the proposed project were to cause a substantial adverse change in the significance of an archaeological resource which falls under the CEQA Guidelines section cited above.

Greenwood and Associates (2007) evaluated the project area and found that no archaeological or historical resources have been documented in the vicinity of the project area. The project area was deemed to have a low sensitivity for cultural resources. Should any potentially important cultural deposits be encountered during construction, per standard public works construction practice, work would be temporarily diverted from the vicinity of the find until a qualified archaeologist can identify and evaluate the find, conduct any appropriate assessment, and make recommendations as needed to protect the resource or mitigate impacts.

- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

☐ ☐ ☒ ☐

Reference: *Standard Specification for Public Works Construction, L.A. CEQA Thresholds Guide* (Section D.1)

Comment: A significant impact may occur if grading or excavation activities associated with the proposed project would disturb unique paleontological resources or unique geologic features.

The project area contains fill associated with the construction of Pacific Coast Highway. Excavation would be fairly shallow, varying from approximately seven (7) feet to 15 feet below grade. Excavation is not anticipated to reach any bedrock. Should bedrock or any potentially important paleontological deposits be encountered during construction, per standard public works construction practices, work would be temporarily diverted from the vicinity of the find until a qualified resource specialist can evaluate the find and make recommendations as needed to protect the find or mitigate the impact.

- d) Disturb any human remains, including those interred outside of formal cemeteries?

☐ ☐ ☒ ☐

Reference: *Standard Specification for Public Works Construction, L.A. CEQA Thresholds Guide* (Section D.2)

Comment: A significant impact may occur if grading or excavation activities associated with the proposed project would disturb interred human remains.

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant	No Impact

No known burial sites are located within the project site. Should human remains be encountered during construction, per standard public works construction practice, work would be temporarily diverted from the vicinity of the find until the coroner is notified in accordance with the Health and Safety Code Section 7050.5. If the remains were determined to be of Native American descent, the coroner would have 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC would identify the person(s) thought to be the Most Likely Descendent, who would then help determine the appropriate course of action.

6. GEOLOGY AND SOILS – Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

☐ ☐ ☒ ☐

Reference: CDC Publication 42, *L.A. CEQA Thresholds Guide* (Section E.1), *General Plan Safety Element*

Comment: A significant impact may occur if the proposed project were located within a state-designated Alquist-Priolo Zone or other designated fault zone and appropriate building practices were not followed.

The project site is located within a Fault Rupture Study Zone. As part of building code and BOE Standard Project Specifications, construction measures are prescribed that enable safe and efficient project implementation within areas subject to seismic movement. Per standard practice, site-specific geotechnical and geological investigations that focus on these potential hazards are performed as part of project design studies.

- ii) Strong seismic ground shaking?

☐ ☐ ☒ ☐

Reference: Planning Department "Parcel Profile Report", *L.A. CEQA Thresholds Guide* (Section E.1)

Comment: A significant impact may occur if the proposed project design did not comply with building code requirements intended to protect people from hazards associated with strong seismic ground shaking.

See comment 6(a)(i).

- iii) Seismic-related ground failure, including liquefaction?

☐ ☐ ☒ ☐

Reference: CDC Seismic Hazard Zones, Planning Department "Parcel Profile Report", *L.A. CEQA Thresholds Guide* (Section E.1)

Comment: A significant impact may occur if the proposed project would be located in an area identified as having a high risk of liquefaction and appropriate design measures required within such designated areas were not incorporated into the project.

The project site is located in an area identified as being susceptible to liquefaction. However, as part of building code and BOE Standard Project Specifications, construction measures are prescribed that enable safe and efficient project implementation within the liquefaction zone area. As stated above, per standard practice, site-specific geotechnical and geological investigations that focus on these potential hazards are performed as part of project design studies. Design and construction of the proposed project would include applicable measures, such as flexible connections or structural anchors.

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant	No Impact
--------	--------------------------------	---------------------------------------	-----------------------	-----------

iv) Landslides?

☐ ☐ ☒ ☐

Reference: General Plan (Landslide Inventory and Hillside Areas in the City of Los Angeles Map), Planning Department "Parcel Profile Report", L.A. CEQA Thresholds Guide (Section E.1)

Comment: The project site is not located in a landslide area. However, segments of the project site are located adjacent to coastal bluffs which are prone to landslides. Compliance with design and/or construction recommendations in the project-level geotechnical studies that would be prepared as a standard practice would keep potential impacts within acceptable levels.

b) Result in substantial soil erosion or the loss of topsoil?

☐ ☐ ☒ ☐

Reference: L.A. CEQA Thresholds Guide (Section E.2), Planning Department "Parcel Profile Report"

Comment: A significant impact may occur if the proposed project were to expose large areas to the erosion effects of wind or water for a prolonged period of time.

The project site is not located in a high wind area. Construction of the proposed project would result in ground surface disruption activities, such as site grading and excavation. These activities could result in the potential for erosion to occur at the proposed project site. However, soil exposure would be temporary and short-term in nature and applicable Department of Building and Safety erosion control techniques would limit potential erosion.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

☐ ☐ ☒ ☐

Reference: L.A. CEQA Thresholds Guide (Section C1), General Plan (Landslide Inventory and Hillside Areas in the City of Los Angeles Map), Planning Department "Parcel Profile Report"

Comment: A significant impact may occur if the proposed project were built in an unstable area without proper site preparation or design features to provide adequate foundations for project buildings, thus posing a hazard to life and property.

Prior to construction and per standard practice, a geotechnical evaluation would be prepared which would prescribe methods, techniques, and specifications for: site preparation, treatment of undocumented fill and/or alluvial soils, fill placement on sloping ground, fill characteristics, fill placement and compactions, temporary excavations and shoring, permanent slopes, treatment of expansive soils, and treatment of corrosive soils. Design construction of the proposed project would conform to recommendations in the geotechnical evaluation. Additionally, see comment for 6(a) (iii).

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

☐ ☐ ☐ ☒

Reference: Uniform Building Code

Comment: The project site is in an area underlain by recent alluvium composed of clay, silt, sand, and gravel. Typically, these soils do not have a high potential for expansion.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

☐ ☐ ☐ ☒

Reference:

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant	No Impact
--------	--------------------------------	---------------------------------------	-----------------------	-----------

Comment: A significant impact may occur if the proposed project were built on soils that were incapable of adequately supporting the use of septic tanks or alternative wastewater disposal system, and such a system were proposed.

No alternative treatment systems are proposed or needed.

7. HAZARDS AND HAZARDOUS MATERIALS – Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? ☐ ☐ ☒ ☐

Reference: DTSC's EnviroStor Data Management System

(<http://www.envirostor.dtsc.ca.gov/public>), L.A. CEQA Thresholds Guide (Sections F.1 & F.2), SWRCB LUST and UST listings on Geotracker (<http://geotracker.swrcb.ca.gov>)

Comment: Operation of the proposed facility would not routinely require transport, use of, or disposal of significant quantities of hazardous materials, including, but not limited to oils, pesticides, or chemicals.

Construction activities would be short-term and limited in nature and may involve limited transport, storage, use or disposal of hazardous materials. Some examples of hazardous materials handling include fueling and servicing construction equipment on-site, and the transport of fuels, lubricating fluids, and solvents. These types of materials are not acutely hazardous, and all storage, handling, and disposal of these materials are regulated.

No sites with known hazardous materials releases were identified within the project area or vicinity. However, if unknown contamination were identified during project construction or a spill were to occur during construction, agencies with jurisdiction would be notified and immediate measures would be taken to ensure the health and safety of the public and workers and to protect the environment. Any excavation, treatment, and/or disposal of contaminated soils would be conducted to the satisfaction of the applicable regulatory agencies, which could include LAFD, LACoFD, LARWQCB and/or DTSC. Adherence to regulations set forth by local, state, and federal regulatory agencies would reduce the potential for hazardous materials impacts to less than significant levels.

- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? ☐ ☐ ☒ ☐

Reference: DTSC's EnviroStor Data Management System

(<http://www.envirostor.dtsc.ca.gov/public>), L.A. CEQA Thresholds Guide (Sections F1 and F.2), SWRCB LUST and UST listings on Geotracker (<http://geotracker.swrcb.ca.gov>)

Comment: Refer to 7a) above.

- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? ☐ ☐ ☐ ☒

Reference: L.A. CEQA Thresholds Guide (Section F.2)

Comment: A significant impact may occur if the proposed project were located within one-quarter mile of an existing or proposed school site and were projected to release toxic emissions which pose a hazard beyond regulatory thresholds.

No schools or proposed school sites are located within one-quarter mile of the proposed project site.

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant	No Impact
--------	--------------------------------	---------------------------------------	-----------------------	-----------

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

☐ ☐ ☐ ☒

Reference: DTSC's EnviroStor Data Management System.

(<http://www.envirostor.dtsc.ca.gov/public>), L.A. CEQA Thresholds Guide (Section F.2), SWRCB's GeoTracker, and USEPA's EnviroMapper

Comment: The project site is not listed in the State Water Resources Control Board GeoTracker system which includes leaking underground fuel tank sites and Spills, Leaks, Investigations, and Cleanups sites; or the Department of Toxic Substances Control EnviroStor Data Management System which includes CORTESE sites, or the Environmental Protection Agency's database of regulated facilities.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

☐ ☐ ☐ ☒

Reference: Brentwood-Pacific Palisades Community Plan, General Plan, L.A. CEQA Thresholds Guide (Section F.1), The Thomas Guide, Los Angeles County Street Guide (2007)

Comment: A significant impact may occur if the proposed project site were located within a public airport land use plan area, or within two miles of a public airport, and would create a safety hazard.

The project site is not located within an airport land use plan, or within two miles of a public airport or public use airport.

- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

☐ ☐ ☐ ☒

Reference: Brentwood-Pacific Palisades Community Plan, L.A. CEQA Thresholds Guide (Section F.1), The Thomas Guide, Los Angeles County Street Guide (2007)

Comment: The project site is not located within the vicinity of a private airstrip.

- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

☐ ☐ ☒ ☐

Reference: L.A. CEQA Thresholds Guide (Section F.1)

Comment: A significant impact may occur if the proposed project were to substantially interfere with roadway operations used in conjunction with an emergency response plan or evacuation plan or would generate sufficient traffic to create traffic congestion that would interfere with the execution of such plan.

The proposed project would not alter the adjacent street system. As applicable, traffic detour plans would address emergency response or emergency evacuation for implementation during construction.

- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

☐ ☐ ☐ ☒

Reference: Brentwood-Pacific Palisades Community Plan and General Plan

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant	No Impact
--------	--------------------------------	---------------------------------------	-----------------------	-----------

Comment: A significant impact may occur if the proposed project were located in a wildland area and poses a significant fire hazard, which could affect persons or structures in the area in the event of a fire.

The proposed project is located within a fully urbanized area with no adjacent wildlands.

8. HYDROLOGY AND WATER QUALITY – Would the project:

- a) Violate any water quality standards or waste discharge requirements? ☐ ☐ ☒ ☐

Reference: *L.A. CEQA Thresholds Guide* (Section G.2)

Comment: A significant impact may occur if the proposed project discharged water which did not meet the quality standards of agencies which regulate surface water quality and water discharge into storm-water drainage systems. For example, if a project were not in compliance with all applicable regulations with regard to surface water quality as governed by the State Water Resources Control Board (SWRCB). These regulations include compliance with the Standard Urban Storm Water Mitigation Plan (SUSMP) requirements to reduce potential water quality impacts.

The project would result in a beneficial impact to water quality. The purpose of the project is to meet the RWQCB winter dry-weather TMDL requirements for the Santa Monica Bay and improve water quality in the receiving waters.

Compliance with the receiving water limitations would be determined using shoreline monitoring data obtained in conformance with the Santa Monica Bay Beaches Bacterial TMDLs Coordinated Shoreline Monitoring Plan dated April 7, 2004.

Short-term impacts to water quality due to construction activities would be regulated under California State Water Resources Control Board Water Quality Order No. 99-08-DWQ (General Construction Permit). Under this permit, the City of Los Angeles would implement a storm water pollution prevention plan and Best Management Construction Practices would be implemented to ensure no significant impacts to water quality occur during construction.

- b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? ☐ ☐ ☐ ☒

Reference: *L.A. CEQA Thresholds Guide* (Sections G.2 and G.3)

Comment: Groundwater is a major component of the water supply for many public water suppliers in the Los Angeles metropolitan area, and is also used by private industries, as well as a limited number of private agricultural and domestic users. A project would normally have a significant impact on groundwater supplies if it were to result in a demonstrable and sustained reduction of groundwater recharge capacity or change the potable water levels sufficiently that it would reduce the ability of a water utility to use the groundwater basin for public water supplies or storage of imported water, reduce the yields of adjacent wells or well fields, or adversely change the rate or direction of groundwater flow.

The proposed project site contains mostly impervious surfaces, including paved roadway and parking surfaces. The proposed project would not use groundwater resources or change the

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant	No Impact
--------	--------------------------------	---------------------------------------	-----------------------	-----------

amount of permeable area within the project site.

- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

☐ ☐ ☒ ☐

Reference: *L.A. CEQA Thresholds Guide* (Sections G.1 and G.2)

Comment: A significant impact may occur if the proposed project resulted in a substantial alteration of drainage patterns that resulted in a substantial increase in erosion or siltation during construction or operation of the project.

The proposed project would divert dry-weather flows from the Santa Monica Canyon storm drain channel, which is concrete-lined within the project area and vicinity. The course of the channel would not be altered. Summer dry-weather flows are currently being diverted at the existing LFD upstream of the project site. The proposed project would divert dry-weather flows year-round, while storm flows would continue to reach the receiving waters.

- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?

☐ ☐ ☐ ☒

Reference: *L.A. CEQA Thresholds Guide* (Section G.1)

Comment: A significant impact may occur if the proposed project resulted in increased runoff volumes during construction or operation of the proposed project that would result in flooding conditions affecting the project site or nearby properties.

Runoff volumes would not be altered. Also, see comment for 8 (c) above.

- e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

☐ ☐ ☐ ☒

Reference: *L.A. CEQA Thresholds Guide* (Section G.2)

Comment: A significant impact may occur if the volume of runoff were to increase to a level which exceeded the capacity of the storm drain system serving a project site. A significant impact may also occur if the proposed project would substantially increase the probability that polluted runoff would reach the storm drain system.

See comments for 8 (a-d) above.

- f) Otherwise substantially degrade water quality?

☐ ☐ ☐ ☒

Reference: *L.A. CEQA Thresholds Guide* (Section G.3)

Comment: A significant impact may occur if a project included potential sources of water pollutants and potential to substantially degrade water quality.

The project's objective is to improve water quality and increase the

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant	No Impact
beneficial and recreational uses of the receiving waters (the Santa Monica Bay) by diverting dry-weather surface runoff to the wastewater system year-round. The runoff would be diverted to the CIRS and ultimately reach the Hyperion Treatment Plant, where it would be treated prior to discharge into the ocean.				
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? Reference: FIRM FEMA Panel No 060137 0076 D, L.A. CEQA Thresholds Guide (Sections G.1 to G.3) Comment: No housing is proposed as part of the proposed project.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows? Reference: FIRM FEMA Panel No 060137 0076 D, L.A. CEQA Thresholds Guide (Sections G.1 & G.3) Comment: The purpose of the proposed project is to divert dry-weather low flows. No changes during wet-weather flows are proposed. As such, flood flows would not be affected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? Reference: City of Los Angeles General Plan Safety Element, L.A. CEQA Thresholds Guide (Sections E.1 & G.3) Comment: A significant impact may occur if the proposed project were located in an area where a dam or levee could fail, exposing people or structures to significant risk of loss, injury or death.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The Inundation and Tsunami Hazard Areas map (Exhibit G) of the Safety Element of the Los Angeles City General Plan (adopted by City Council November 26, 1996) identifies the project site as being located in an inundation area due to proximity to low-lying coastal area. Design criteria for coastal development are provided in the City of Los Angeles Flood Hazard Specific Plan (City of Los Angeles Safety Element). The Flood Hazard Management Specific Plan Guidelines by City of Los Angeles Department of Building and Safety stipulate development requirement for construction within flood risk zones.				
j) Inundation by seiche, tsunami, or mudflow? Reference: City of Los Angeles General Plan Safety Element, LA CEQA Thresholds Guide (Section E.1) Comment: A significant impact may occur if the proposed project would cause or accelerate geologic hazards, which would result in substantial damage to structures or infrastructure, or expose people to substantial risk of injury.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The Inundation and Tsunami Hazard Areas map (Exhibit G) of the Safety Element of the Los Angeles City General Plan (adopted by City Council November 26, 1996) indicates some portions of the project				

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant	No Impact
--------	--------------------------------	---------------------------------------	-----------------------	-----------

site are located within a potential tsunami hazard area. However, the proposed project would improve existing infrastructure and does not include structures for habitation or occupancy.

9. LAND USE AND PLANNING – Would the project:

- a) Physically divide an established community? ☐ ☐ ☐ ☒

Reference: *City of Los Angeles General Plan, LA CEQA Thresholds Guide* (Section H.2)

Comment: Determination of impact is made based on several factors, including whether the proposed project is sufficiently large or otherwise configured in such a way as to create a physical barrier within an established community.

The proposed project involves construction of utility infrastructure that would be located below grade or on currently developed parcels and would not adversely impact land uses within the area or act as a physical barrier within the surrounding community.

- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? ☐ ☐ ☒ ☐

Reference: *City of Los Angeles General Plan, LA CEQA Thresholds Guide* (Sections H.1 & H.2)

Comment: A significant impact may occur if the proposed project were inconsistent with the General Plan, or other applicable plan, or with the site's zoning if designated to avoid or mitigate a significant potential environmental impact.

Land uses within the project site consist of open space and public right-of-way within Pacific Coast Highway. The proposed project consists of improvements to the stormwater infrastructure system to improve public health and safety. Most of the project elements would be located below grade. The project would be a component of the municipal infrastructure and would not require changes in land use. Allowed uses within areas designated for "Open Space" includes uses for public health and safety and right-of-way for utilities.

- c) Conflict with any applicable habitat conservation plan or natural community conservation plan? ☐ ☐ ☒ ☐

Reference: *City of Los Angeles General Plan, LA CEQA Thresholds Guide* (Sections H.1 & H.2)

Comment: A significant impact may occur if the proposed project were located within an area governed by a habitat conservation plan or natural community conservation plan and would conflict with such plan.

No habitat conservation plan or natural community conservation plan is known to exist for the project site. U.S. Fish and Wildlife designated western snowy plover critical habitat is located within the

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant	No Impact
--------	--------------------------------	---------------------------------------	-----------------------	-----------

vicinity of the project site. However, as explained above under 4 (a), no impacts are anticipated with implementation of mitigation BIO-1.

10. MINERAL RESOURCES – Would the project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

☐ ☐ ☐ ☒

Reference: *City of Los Angeles General Plan, L.A. CEQA Thresholds Guide* (Section E4)

Comment: No mineral resources are identified within the project area.

- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

☐ ☐ ☐ ☒

Reference: *City of Los Angeles General Plan, L.A. CEQA Thresholds Guide* (Sections H.1 & H.2)

Comment: Refer to 10 (a) above.

11. NOISE – Would the project result in:

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

☐ ☒ ☐ ☐

Reference: *City of Los Angeles General Plan, City of Los Angeles Municipal Code, L.A. CEQA Thresholds Guide* (Section I), *Noise and Vibration Study of Los Angeles Proposition O LFD Design Project*

Comment: A significant impact may occur if the project resulted in or exposed people to noise levels that exceeded the standards established by the general plan and and/or noise ordinance of the Municipal Code.

A baseline noise analysis study indicates ambient noise levels in the project area range from 54 dBA* to 72 dBA (Air & Noise Logic 2008). Noise levels generated by construction equipment would vary based on several factors, including equipment type and models, operation being performed, and the condition of the equipment. Construction activities are anticipated to generate noise levels ranging from 60 dBA to 90 dBA. Since construction activities have the potential to increase ambient noise levels above 5 dBA at a noise sensitive use during nighttime hours (CEQA Thresholds 2006), construction of the CIRS would result in a significant noise level impact to adjacent residential uses. The following mitigation measures have been designed to reduce construction noise impacts to a less than significant level:

Mitigation Measure NOI1: Construction contracts shall specify that all construction equipment shall be equipped with noise mufflers, blankets and other suitable noise attenuation.

Mitigation Measure NOI2: To the extent feasible, the contractor shall minimize impulsive noise during nighttime construction.

Mitigation Measure NOI3: The contractor shall monitor nighttime construction activity. Prior to the start of nighttime construction activities, the contractor shall submit a comprehensive noise control plan for review and approval of the project engineer. The noise control plan shall identify best possible construction-staging locations and noise-monitoring procedures, evaluate anticipated construction noise impacts and mitigation measures, and establish reporting requirements and complaint response procedures. The noise control plan shall

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant	No Impact
--------	--------------------------------	---------------------------------------	-----------------------	-----------

impose restrictions on the use of equipment with backup alarms or any other devices that typically emit banging, clanging, buzzing, or other annoying noises.

Mitigation Measure NOI4: The City of Los Angeles shall establish a community liaison program designed to provide for two-way communication between the community and the City of Los Angeles to resolve noise problems that might arise during construction of the Coastal Interceptor Relief Sewer. The community liaison program will consist of:

- A 24-hour hotline to enable residents and community members to report noise problems. The hotline shall be staffed and operated by persons authorized to coordinate with the construction contractor, the construction manager, the inspector, and the design group to resolve identified issues. A database shall be developed to log complaints and document the status of the reported incidents and activities/actions undertaken to address the complaints.
- The distribution of the construction schedule, and any modifications to it thereafter, to residents, property owners, and local businesses.

Operation noise is anticipated to be limited to noise from the pumping equipment, LFD control equipment and the inflatable dam control equipment and compressor. The pumping equipment would be located below grade, the control equipment and the compressor would be located partly below grade and housed within a control building, and the LFD control equipment would be housed in a metal structure and sited within the vicinity Pacific Coast Highway away from residential uses. Noise increase from project operation is anticipated to have less than a significant impact.

* A-weighted decibel (dBA): an overall frequency-weighted sound level in decibels which approximates the frequency response of the human ear.

- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? ☐ ☒ ☐ ☐

Reference: *City of Los Angeles General Plan, City of Los Angeles Municipal Code, L.A. CEQA Thresholds Guide (Section 1), Noise and Vibration Study of Los Angeles Proposition O LFD Design Project*

Comment: A significant impact may occur if the project were to expose persons to or generate excessive groundborne vibration or groundborne noise levels.

Construction activities associated with the project could generate groundborne vibration from use of heavy equipment. According to a noise and vibration study conducted for the proposed project (Air & Noise Logic 2008), there is the potential for vibration impacts from sonic and pile driving and for drilling within 100 feet of residential units. In accordance with Bureau of Engineering Standard Project Specifications, no pile driving is anticipated for this project. However, construction of the CIRS may require drilling within 100 feet of residential units. Mitigation measures NOI1 through NOI4 above, have been designed to reduce noise impacts. The following mitigation measures have been designed to reduce potential groundborne vibration impacts to a less than significant level:

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant	No Impact
--------	--------------------------------------	---	--------------------------	-----------

Mitigation Measure NOI5: To the extent feasible during CIRS construction, the contractor shall route heavily-loaded trucks away from residential streets. If no alternatives are available, streets with fewest homes shall be selected.

Mitigation Measure NOI6: To the extent feasible during CIRS construction with 100 feet of residential units, the contractor shall phase demolition, earth-moving and ground-impacting operations so as not to occur in the same time period.

Mitigation Measure NOI7: To the extent feasible during CIRS construction with 100 feet of residential units, the contractor shall select demolition methods not involving impact. For example, sawing structures into section that can be loaded onto trucks would result in lower vibration levels than impact demolition.

Mitigation Measure NOI8: Prior to the start of CIRS construction activities, the contractor shall submit a comprehensive vibration monitoring and mitigation plan for review and approval of the project engineer. The vibration monitoring and mitigation plan shall focus on adjacent residential uses, identify best possible construction-staging locations and vibration-monitoring procedures, evaluate anticipated vibration impacts and mitigation measures, and establish reporting requirements and complaint response procedures.

- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? ☐ ☐ ☐ ☒
- Reference: *City of Los Angeles General Plan, City of Los Angeles Municipal Code, L.A. CEQA Thresholds Guide* (Section I)
- Comment: Comment: A significant impact may occur if the project were to substantially and permanently increase the ambient noise levels in the project vicinity above levels existing without the proposed project.

See comments under 11 (a) above.

- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? ☐ ☒ ☐ ☐
- Reference: *L.A. CEQA Thresholds Guide* (Section I)
- Comment: A significant impact may occur if the project were to create a substantial temporary or periodic increase in the ambient noise levels in the project vicinity above levels existing without the proposed project.

See comments under 11 (a) above.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? ☐ ☐ ☐ ☒

Reference: *Brentwood-Pacific Palisades Community Plan, General Plan, L.A. CEQA Thresholds*

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant	No Impact
--------	--------------------------------	---------------------------------------	-----------------------	-----------

Guide (Section I), *The Thomas Guide*, *Los Angeles County Street Guide* (2007)
Comment: No public airport is located within the vicinity of the project area.

- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? ☐ ☐ ☐ ☒

Reference: *Brentwood-Pacific Palisades Community Plan*, General Plan, *L.A. CEQA Thresholds Guide* (Section I), *The Thomas Guide*, *Los Angeles County Street Guide* (2007)

Comment: No private airstrips are located within the vicinity of the project area.

12. POPULATION AND HOUSING – Would the project:

- a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? ☐ ☐ ☐ ☒

Reference: *L.A. CEQA Thresholds Guide* (Section J.1)

Comment: A significant impact may occur if the proposed project induced substantial population and housing growth through new development in undeveloped areas or by introducing unplanned infrastructure that was not previously evaluated in the adopted community plan or general plan.

The proposed project would not promote population growth either directly or indirectly, since it consists of infrastructure upgrades to meet regulatory requirements in conformance with the needs projected in the adopted community and general plans.

- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? ☐ ☐ ☐ ☒

Reference: *L.A. CEQA Thresholds Guide* (Sections J.1 and J.2)

Comment: No housing would be displaced or changed.

- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? ☐ ☐ ☐ ☒

Reference:

Comment: See comment for 12 (b) above.

13. PUBLIC SERVICES –

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- i) Fire protection? ☐ ☐ ☐ ☒

Reference: *City of Los Angeles General Plan Safety Element*, *L.A. CEQA Thresholds Guide* (Section K.2)

Comment: A significant impact may occur if the project required the addition of a new fire station or the expansion, consolidation or relocation of an existing facility to maintain service.

The proposed project would not require additional fire protection or emergency

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant	No Impact
--------	--------------------------------	---------------------------------------	-----------------------	-----------

response services beyond what is currently provided. As per Bureau of Engineering Standard Project Specifications, construction activities would comply with applicable Fire Code requirements. The nearest local fire responders (including Fire Station 69) would be notified, as appropriate, of any street lane closures during construction so as to coordinate emergency response routing during construction work.

ii) Police protection?

☐ ☐ ☐ ☒

Reference: *City of Los Angeles General Plan Safety Element, L.A. CEQA Thresholds Guide* (Section K.1)

Comment: A significant impact may occur if the proposed project were to result in an increase in demand for police services that would exceed the capacity of the police department responsible for serving the site.

The proposed project would not require additional police protection beyond what is currently provided. As per Bureau of Engineering Standard Project Specifications, construction activities would comply with applicable Municipal Code requirements. The nearest local police station (in Reporting District 821) would be notified, as appropriate, of any street lane closures during construction so as to coordinate emergency response routing during construction work.

iii) Schools?

☐ ☐ ☐ ☒

Reference: *L.A. CEQA Thresholds Guide* (Section K.3)

Comment: A significant impact may occur if the proposed project included substantial employment or population growth that could generate demand for school facilities that exceeded the capacity of the school district responsible for serving the project site.

The proposed project is not a growth inducing project, either directly or indirectly, and would therefore not increase the demand for schools in the area.

iv) Parks?

☐ ☐ ☐ ☒

Reference: *L.A. CEQA Thresholds Guide* (Section K.4)

Comment: A significant impact may occur if the recreation and park services available could not accommodate the population increase resulting from the implementation of the proposed project.

Operation of the proposed project is not a growth inducing project, either directly or indirectly, and would therefore not increase the demand for parks in the area.

v) Other public facilities?

☐ ☐ ☒ ☐

Reference:

Comment: Operation of the proposed project would not induce growth, either directly or indirectly, and would therefore not increase the demand or use for other public facilities in the area. Temporary impacts to Will Rogers State Beach parking and to the multiuse (pedestrian/bike) path may occur during construction. Due to permitting/regulatory constraints, construction is anticipated to occur during the off-peak beach season when demand for parking and other beach facilities is lower. Additionally, the City would coordinate with the County of Los Angeles Department of Beach and Harbors to minimize construction-related impacts to Will Rogers State Beach.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant	No Impact
--------	--------------------------------	---------------------------------------	-----------------------	-----------

14. RECREATION –

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

☐ ☐ ☒ ☐

Reference: L.A. CEQA Thresholds Guide (Section K.4)

Comment: A significant impact may occur if the proposed project included substantial employment or population growth that generated demand for public park facilities that exceed the capacity of existing parks.

The proposed project is not a growth inducing project, either directly or indirectly, and would therefore not increase the demand for parks or other recreational facilities in the area. As indicated above, temporary impacts to Will Rogers State Beach parking and to the multiuse (pedestrian/bike) path may occur during construction. Due to permitting/regulatory constraints, construction is anticipated to occur during the off-peak beach season when demand for parking and other beach facilities is lower. Additionally, the City would coordinate with the County of Los Angeles Department of Beach and Harbors to minimize construction-related impacts to Will Rogers State Beach.

- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

☐ ☐ ☐ ☒

Reference:

Comment: No recreational facilities would be included in the proposed project nor would any new recreation facilities be required.

15. TRANSPORTATION/TRAFFIC – Would the project:

- a) Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

☐ ☐ ☒ ☐

Reference: KOA Corporation (2008), L.A. CEQA Thresholds Guide (Section L.1 to L.4 and L.8)

Comment: A significant impact may occur if the proposed project caused an increase in traffic that would be substantial in relation to the existing traffic load and capacity of the street system.

The proposed project consists of the upgrades of existing storm drain and sewer infrastructure and would generate a nominal number of vehicle trips during operation, no more than one trip per week estimated.

Construction on Pacific Coast Highway would be subject to conditions of a Caltrans permit and is anticipated to occur at nighttime during off-peak hours. Based on a traffic analysis conducted for this project, construction scheduled during the recommended time periods below would maintain acceptable levels of service (LOS) during construction (minimum LOS D). Construction is anticipated to occur within the recommended time periods.

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant	No Impact

Location	Recommended Construction Time Period			
	Weekday		Weekend	
	1-lane Closure	2-lane Closure	1-lane Closure	2-lane Closure
Pacific Coast Highway (Southbound)				
- n/o Channel Rd	5:00 PM to 7:00 AM	11:00 PM to 6:00 AM	Anytime	11:00 PM to 9:00 AM
- s/o Entrada Dr	6:00 PM to 7:00 AM	11:00 PM to 6:00 AM	Anytime	11:00 PM to 9:00 AM
Pacific Coast Highway (Northbound)				
- s/o Entrada Dr	7:00 PM to 7:00 AM	10:00 PM to 6:00 AM	6:00 PM to 4:00 PM	10:00 PM to 11:00 AM

Notes:

[a] Based on a minimum of LOS D maintained during construction

- b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

☐ ☐ ☒ ☐

Reference: See 15 (a).

Comment:

See 15 (a).

- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

☐ ☐ ☐ ☒

Reference:

Comment: The project does not involve any changes in air traffic patterns.

- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

☐ ☐ ☐ ☒

Reference: L.A. CEQA Thresholds Guide (Section L.5)

Comment: A significant impact may occur if the proposed project substantially increased road hazards due to a design feature or incompatible uses.

The proposed project would not change the surrounding street system and would not introduce incompatible vehicles to surrounding roadways. Temporary lane closures would occur during off peak hours and the traffic control plan, which would be subject to Caltrans review and approval, would be designed to minimize potential hazards to motorists.

- e) Result in inadequate emergency access?

☐ ☐ ☐ ☒

Reference: L.A. CEQA Thresholds Guide (Section L.5 and L.8)

Comment: A significant impact may occur if the proposed project resulted in inadequate emergency access.

The proposed project area is readily accessible from adjacent roadways. The project does not include any permanent changes or alterations to emergency access. As indicated above, during construction, temporary lane closures would occur during off peak hours and the traffic control plan, which would be subject to Caltrans review and approval, would be designed to ensure appropriate emergency access is maintained.

- f) Result in inadequate parking capacity?

☐ ☐ ☒ ☐

Reference: L.A. CEQA Thresholds Guide (Sections L.7 & L.8)

Comment: The project would be designed to minimize permanent impacts to parking.

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant	No Impact
--------	--------------------------------	---------------------------------------	-----------------------	-----------

However, loss of one space within Will Rogers State Beach Parking Lot 2 may occur to allow the installation of one pole-mounted transformer within the vicinity of the Pacific Palisades LFD.

During construction, approximately 10 parking spaces within Will Rogers State Beach Parking Lot 2 and 46 parking spaces within Parking Lot 1 would be temporarily used for construction staging. Additional spaces within both lots would also be temporarily impacted during the CIRS construction. Due to permitting/regulatory constraints, construction is anticipated to occur during the off-peak beach season when demand for parking is lower. City would coordinate with the County of Los Angeles Department of Beach and Harbors to minimize construction-related impacts to Will Rogers State Beach parking.

- g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? ☐ ☐ ☒ ☐

Reference:

Comment: A significant impact may occur if the proposed project were to conflict with adopted policies, plans, or programs supporting alternative transportation.

The proposed project would not conflict with adopted policies, plans, or programs supporting alternative transportation. It is anticipated that construction of the CIRS siphon airline would require temporary closure of the existing multi-use pedestrian/bike path. A temporary reroute or alternate route would be provided to minimize impacts.

16. UTILITIES AND SERVICE SYSTEMS – Would the project:

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? ☐ ☐ ☐ ☒

Reference: *L.A. CEQA Thresholds Guide* (Section M.2)

Comment: A significant impact may occur if the proposed project exceeded wastewater treatment requirements of the local regulatory governing agency.

The Hyperion Treatment Plant is located on a 144-acre site adjacent to the Santa Monica Bay, southwest of the Los Angeles International Airport. The drainage area served by the plant is approximately 328,000 acres. Sewage from five major interceptor sewer systems, including the CIS that serves the project area, is received and treated at this plant. According to the City's Bureau of Sanitation, the plant has sufficient capacity to accommodate the diverted stormwater flows.

- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? ☐ ☐ ☐ ☒

Reference: *L.A. CEQA Thresholds Guide* (Sections M.1 and M.2)

Comment: A significant impact may occur if the proposed project resulted in the need for new construction or expansion of water or wastewater treatment facilities that could result in an adverse environmental effect that could not be mitigated.

Other than temporary construction water use, the proposed project would not include water uses. Also, refer to 16 (a) above.

- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause ☐ ☐ ☐ ☒

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant	No Impact
--------	--------------------------------	---------------------------------------	-----------------------	-----------

significant environmental effects?

Reference: L.A. CEQA Thresholds Guide (Section M.2)

Comment: A significant impact may occur if the volume of storm water runoff from the proposed project increases to a level exceeding the capacity of the storm drain system serving the project site.

The proposed project consists of improvements to the existing stormwater infrastructure. The proposed project would not increase the volume of stormwater runoff, but would redirect runoff to the sewer system prior to discharge into the ocean.

- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

☐ ☐ ☐ ☒

Reference: L.A. CEQA Thresholds Guide (Section M.1)

Comment: A significant impact may occur if the proposed project's water demands would exceed the existing water supplies that serve the site.

The City of Los Angeles Department of Water and Power provides potable water to the project area and vicinity. Other than temporary construction water use, the proposed project would not include water uses.

- e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

☐ ☐ ☐ ☒

Reference:

Comment: Refer to 16 (a) above.

- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

☐ ☐ ☒ ☐

Reference: IRP EIR, L.A. CEQA Thresholds Guide (Section M.3)

Comment: A significant impact may occur if the proposed project were to increase solid waste generation to a degree that existing and projected landfill capacities would be insufficient to accommodate the additional waste.

Demolition debris would be recycled at aggregate-base facilities, with residual debris disposed at inert landfills, the Bradley West landfill (which as of 2002 had 4,725,968 cubic yards capacity left) or Sunshine Canyon landfill (which as of 2001 had 16,000,000 cubic yards capacity left). It is anticipated that most of the excavated soil would not be suitable for backfill. Unsuitable soil would also be disposed at these landfills, where some of this soil, may be suitable for use as daily cover.

During operation of the LFDs, trash and debris collected in the system would be removed two or three times a year. This would be a nominal volume and existing landfills have sufficient capacity to accommodate it.

- g) Comply with federal, state, and local statutes and regulations related to solid waste?

☐ ☐ ☐ ☒

Reference: L.A. CEQA Thresholds Guide (Section M.3)

Comment: A significant impact may occur if the proposed project would generate solid waste that was in excess of or was not disposed of in accordance with applicable regulations.

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant	No Impact
--------	--------------------------------	---------------------------------------	-----------------------	-----------

Solid waste disposal during construction and operation would comply with federal, state, local statutes and regulations related to solid waste.

17. MANDATORY FINDINGS OF SIGNIFICANCE

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

☐ ☐ ☒ ☐

Reference: IRP EIR and see 4 (Biological Resources) and 5 (Cultural Resources) above.

Comment: The project site is located in an urbanized area that does not contain significant biological resources or known cultural resources, including historical archaeological, or paleontological resources. The site is located adjacent to western snowy plover US. Fish and Wildlife designated critical habitat. However, with implementation of mitigation measure BIO-1, impacts are anticipated to be less than significant.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

☐ ☐ ☒ ☐

Reference: OPR Technical Advisory CEQA and Climate Change, City of Los Angeles General Plan, IRP EIR

Comment: The projects included in the IRP are considered related projects for the purposes of CEQA. However, the proposed project would be a much smaller-scale near term project with construction anticipated to be completed by December 2010. Additionally, construction periods are not expected to overlap and mitigation measures would be implemented, as applicable, to minimize potential impacts.

- c) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?

☐ ☐ ☐ ☒

Reference:

Comment: The purpose of the proposed project is to improve both the short-term and long-term water quality of the receiving waters.

- d) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

☐ ☐ ☒ ☐

Reference:

Comment: With implementation of the mitigation measures listed below, the proposed project is not anticipated to have significant air quality, hazard, land use, noise, or traffic impacts that would cause substantial adverse effects on human beings, either directly or indirectly.

V. MITIGATION MEASURES

The following mitigation measures form the foundation of a mitigation monitoring program (MMP) for the proposed project. CEQA requires public agencies to adopt a reporting or monitoring program for the changes to the project that have been adopted

*INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING*

to mitigate or avoid significant effects on the environment (Public Resources Code Section 21081.6). The program must be adopted by the public agency at the time findings are made regarding the project. The State CEQA Guidelines allow public agencies to choose whether its program will monitor mitigation, report on mitigation, or both (14 CCR Section 15097(c)).

The mitigation measures described herein are supplemental to those required as standard procedure for the City and its contractors. The City and its contractors are the parties responsible for: (1) the necessary implementing actions; (2) verifying that the necessary implementing actions are taken; and (3) the primary record documenting the necessary implementing actions.

The mechanisms for verifying that mitigation measures have been implemented include design drawings, project plans and specifications, construction documents intended for use by construction contractors and construction managers, field inspections, field reports, and other periodic or special reports. All records pertaining to this mitigation program will be maintained and made available for inspection by the public in accordance with the City's records management systems.

Aesthetics:

Mitigation Measure AES-1: To the extent feasible, permanent structures shall be designed and located in a manner that does not remove, alter, or destroy an existing valued natural or urban feature that contributes to the valued aesthetic character of an area; or so that key views are not blocked.

Biological Resources:

Mitigation Measure BIO-1: A preconstruction survey by a qualified biologist shall be conducted for any construction within the sandy areas to ensure that no western snowy plovers are in the immediate project vicinity. As applicable, the biologist would make recommendations based on the results of the survey to prevent any impacts to western snowy plovers.

Noise:

Mitigation Measure NOI1: Construction contracts shall specify that all construction equipment shall be equipped with noise mufflers, blankets and other suitable noise attenuation.

Mitigation Measure NOI2: To the extent feasible, the contractor shall minimize impulsive noise during nighttime construction.

Mitigation Measure NOI3: The contractor shall monitor nighttime construction activity. Prior to the start of nighttime construction activities, the contractor shall submit a comprehensive noise control plan for review and approval of the project

**INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING**

engineer. The noise control plan shall identify best possible construction-staging locations and noise-monitoring procedures, evaluate anticipated construction noise impacts and mitigation measures, and establish reporting requirements and complaint response procedures. The noise control plan shall impose restrictions on the use of equipment with backup alarms or any other devices that typically emit banging, clanging, buzzing, or other annoying noises.

Mitigation Measure NOI4: The City of Los Angeles shall establish a community liaison program designed to provide for two-way communication between the community and the City of Los Angeles to resolve noise problems that might arise during construction of the Coastal Interceptor Relief Sewer. The community liaison program will consist of:

- A 24-hour hotline to enable residents and community members to report noise problems. The hotline shall be staffed and operated by persons authorized to coordinate with the construction contractor, the construction manager, the inspector, and the design group to resolve identified issues. A database shall be developed to log complaints and document the status of the reported incidents and activities/actions undertaken to address the complaints.
- The distribution of the construction schedule, and any modifications to it thereafter, to residents, property owners, and local businesses.

Mitigation Measure NOI5: To the extent feasible during CIRS construction, the contractor shall route heavily-loaded trucks away from residential streets. If no alternatives are available, streets with fewest homes shall be selected.

Mitigation Measure NOI6: To the extent feasible during CIRS construction within 100 feet of residential units, the contractor shall phase demolition, earth-moving and ground-impacting operations so as not to occur in the same time period.

Mitigation Measure NOI7: To the extent feasible during CIRS construction within 100 feet of residential units, the contractor shall select demolition methods not involving impact. For example, sawing structures into section that can be loaded onto trucks would result in lower vibration levels than impact demolition.

Mitigation Measure NOI8: Prior to the start of CIRS construction activities, the contractor shall submit a comprehensive vibration monitoring and mitigation plan for review and approval of the project engineer. The vibration monitoring and mitigation plan shall focus on adjacent residential uses, identify best possible construction-staging locations and vibration-monitoring procedures, evaluate anticipated vibration impacts and mitigation measures, and establish reporting requirements and complaint response procedures.

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

VI. NAME OF PREPARER

Maria E. Martin	Under Supervision of Jim Doty
Environmental Supervisor I	Environmental Supervisor II
Environmental Management Group	Environmental Management Group
Bureau of Engineering	Bureau of Engineering
Department of Public Works	Department of Public Works

VII. COORDINATION AND CONSULTATION

City of Los Angeles	County of Los Angeles
Department of Public Works	Department of Beach and Harbors
Bureau of Engineering	Greg Woodell
Proposition O Bond Program	
Andy Flores, Project Manager	State of California
Joanna Tesoro, Project Engineer	Coastal Commission
	Al Padilla
City of Santa Monica	
Civil Engineering & Architecture	State of California
Mr. Mark Cuneo	Department of Transportation
	Amon Omidghaemi
County of Los Angeles	U. S. Army Corps of Engineers
Department of Public Works	Kenneth Wong
Patrick Arakawa	
Oliver Galang	

IX. DETERMINATION - RECOMMENDED ENVIRONMENTAL DOCUMENTATION

A. Summary

The proposed project consists of the upgrade of two existing low flow diversions and the construction of a 4,500-foot long relief sewer within the Community of Pacific Palisades of Council District 11 and the northern limits of the City of Santa Monica. The project is needed to help the City meet the winter dry-weather bacteria TMDL requirements.

The Pacific Palisades LFD would be upgraded with a new wet well, a new trash/debris collection maintenance structure, and a new electrical panel. A new LFD system would be installed near the mouth of the Santa Monica Canyon Channel. The existing Santa Monica Canyon LFD would be left in place within West Channel Road for redundancy and system reliability. With the exception of the LFD panels and covers or hatches, the LFD structures would be located below grade. Construction of the Santa Monica Canyon LFD would be a joint effort between the City and the Los Angeles County Flood Control District (LACFCD). The LACFCD would install an air-inflatable 6-foot high by 40-foot wide rubber dam in the Santa Monica Canyon Channel and an adjacent control building (approximately 10 feet by 10 feet) housing the rubber dam's air compressor

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

and control panel.

The CIRS would extend from its upstream end at the existing Palisades Park LFD downstream southeasterly, across the City of Los Angeles border, into the City of Santa Monica; where a connection would be made to the existing 60-inch sewer. The CIRS would consist of approximately 4,500 total lineal feet of pipe of varying diameters (30, 36, 42, and 48-inch). Roughly 1,400 lineal feet of the alignment would be located within Will Rogers Parking Lot 2 East and Parking Lot 1 and the remaining portion would lie within Pacific Coast Highway right-of-way. Construction within Pacific Coast Highway would require nighttime construction and partial lane closures. Mitigation measures have been included to ensure that any impacts are reduced to a less than significant level.

B. Recommended Environmental Documentation

On the basis of this initial evaluation, I find that the project could not have a significant effect on the environment, and a **Mitigated Negative Declaration** should be adopted.

Prepared by: Maria E. Martin
Maria E. Martin
Environmental Supervisor I

Reviewed by: James E. Doty
James E. Doty
Environmental Supervisor II

Approved by: Ara Kasparian
Ara Kasparian, Ph.D., Manager
Environmental Management Group

AK/MM/CEQA IS.doc

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

VIII. REFERENCES:

- Air & Noise Logic, Inc. July 2008. *Noise and Vibration Study City of Los Angeles Proposition O LFD Design Project.*
- American Public Works Association, Southern California Chapter. *Standard Specifications for Public Works Construction* (Greenbook).
- American Public Works Association, Southern California Chapter. 2001. *Work Area Traffic Control Handbook* (WATCH).
- California Air Pollution Control Officers Association. January 2008. *CEQA and Climate Change, Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act.*
- California Department of Conservation (CDC), Div. of Land Resources Protection. 1997. *California Agricultural Land Evaluation and Site Assessment Model.*
- California, Department of Conservation, Division of Mines and Geology. State of California Seismic Hazard Zones, Topanga Quadrangle, effective April 7, 1997. Accessed April 21, 2008 from CGS web site at http://gmw.consrv.ca.gov/shmp/download/pdf/ozn_top.pdf
- California, Department of Conservation (CDC), Division of Mines and Geology. Special Publication 42: "Fault Rupture Hazard Zones in California, Alquist-Priolo Earthquake Fault Zoning Act with Index to Earthquake Fault Zones Map". Released 1997, Supplemented in 1999, Interim revision 2007. Available at <http://www.consrv.ca.gov/CGS/rghm/ap/index.htm>
- California Department of Fish and Game. *California Natural Diversity Database.* Government Version, February 2, 2008.
- California Department of Transportation (CALTRANS) Landscape Architecture Program. California Scenic Highway Mapping System. Accessed April 2008 at http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm
- California Environmental Protection Agency, Department of Toxic Substances Control Board (DTSC). EnviroStor Data Management System. Accessed March 2008 at <http://www.envirostor.dtsc.ca.gov>.
- City of Los Angeles, *City of Los Angeles Municipal Code.*
- City of Los Angeles, Department of City Planning. *General Plan*, including community plans and technical elements. Accessed various dates January through April, 2008 from City's web page at <http://cityplanning.lacity.org>

INITIAL STUDY
PUBLIC WORKS – BUREAU OF ENGINEERING

- City of Los Angeles, Department of City Planning. Planning and Zoning Code. Accessed various dates January through April, 2008 from City's web page at <http://cityofla.org/PLN/>
- City of Los Angeles, Department of City Planning. ZIMAS (Zone Information & Map Access System). Accessed various dates January through April, 2008 from City's web page at <http://zimas.lacity.org>
- City of Los Angeles, Department of Public Works BOS and Department of Water and Power. November 2005) *Integrated Resources Draft Environmental Impact Report* (IRP EIR).
- City of Los Angeles, Environmental Affairs Department. 2006. *L.A. CEQA Thresholds Guide: Your Resource for Preparing CEQA Analyses in Los Angeles*. Available online at <http://lacity.org/ead/EADWeb-AQD/thresholdsguide.htm>
- City of Santa Monica. 2008. Personal communication. Dean Kubani, Environmental Programs Division Manager, June 24, 2008.
- Federal Emergency Management Agency, Flood Insurance Rate Map (FIRM), Community Panel number 060137 0076 D, February 4, 1987.
- Greenwood and Associates. April 2008. *Archaeological Investigation for Proposition O and CIS Projects, City of Los Angeles, Los Angeles County, California*.
- KOA Corporation. June 2008. Technical Memorandum for Santa Monica Bay Low Flow Diversion – Traffic Assessment.
- McGill, John T. 1989. USGS. Geologic Map of the Palisades Area, Los Angeles, CA.
- U.S. Environmental Protection Agency EnviroMapper for Envirofacts accessed March 2007 at <http://www.epa.gov/enviro/html/em/index.html>
- U.S. Geological Survey (and California Geological Survey). 2006. Quaternary fault and fold database for the United States, accessed April 21, 2007, from USGS web site: <http://earthquakes.usgs.gov/regional/qfaults/>.
- U.S. Fish and Wildlife. FWS Critical Habitat for Threatened & Endangered Species data accessed May 2008 at <http://criticalhabitat.fws.gov/>
- U.S. Fish and Wildlife. 2007. Recovery Plan for the Pacific Coast Population of the Western Snowy Plover (*Charadrius alexandrinus nivosus*). Accessed May 2008 from <http://www.fws.gov/cno/es/recoveryplans.html>
- U.S. Fish and Wildlife, Department of the Interior. 50 CFR Part 17. September 29, 2005. Federal Register, Vol. 70, No. 188.

ATTACHMENT 1 COMMENTS and RESPONSES

Initial Study/Mitigated Negative Declaration

**Santa Monica Canyon and Palisades Park
Low Flow Diversion Upgrades and
Coastal Interceptor Relief Sewer**

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, OFFICE OF PUBLIC
TRANSPORTATION AND REGIONAL PLANNING
IGR/CEQA BRANCH
100 SOUTH MAIN STREET
LOS ANGELES, CA 90012
PHONE (213) 897-6696
FAX (213) 897-1337

COMMENT LETTER 1

*Flex your power!
Be energy efficient!*

August 20, 2008

IGR/CEQA NEG DEC CS/080830
City of Los Angeles
Santa Monica Canyon and Palisades Park LFD Upgrade Coastal Interceptor Relief Sewer
Vic. LA-1-, SCH# 2008081044

Ms. Maria Martin
City of Los Angeles
Public Works Department
Bureau of Engineering
1149 S. Broadway, Suite 600, Mail Stop 933
Los Angeles, CA 90012

Dear Ms. Martin:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Mitigated Negative Declaration for the Santa Monica Canyon and Palisades Park LFD Upgrade Coastal Interceptor Relief Sewer Project. The project is located along Pacific Coast Highway (State Route 1) west of Chatagua Boulevard to South of San Vicente Boulevard. Based on the information received, we have the following comments:

- 1A Since the project will involve work within the State Right-of-way, a Caltrans Encroachment Permit will be needed. The Encroachment Permit application will require location maps, engineering plans, and methods involved in performing the work. For any lane closures, a Construction Management Plan will be needed. A traffic study may be needed to evaluate the traffic impacts resulting in the potential loss of travel lanes.
- 1B For multiple truck trips, the contractor should avoid platooning of trucks on State highways. We recommend that construction related truck trips on State Highways be limited to off-peak commute periods. Transport of over-size or over-weight vehicles on State highways will need a Caltrans Transportation Permit.
- 1C A stormwater Management Plan will be needed to control any stormwater runoff as a result of construction work within the roadway.

If you have any questions, you may reach me at (213) 897-6696 and please refer to our record number 080830/CS.

Sincerely,

ELMER ALVAREZ
IGR/CEQA Program Manager
Office of Regional Planning

cc: Scott Morgan, State Clearinghouse



Linda S. Adams
Secretary for
Environmental Protection

SEP 3 2008

State Water Resources Control Board

Division of Financial Assistance
1001 I Street • Sacramento, California 95814 • (916) 341-5700 FAX (916) 341-5707
Mailing Address: P.O. Box 94212 • Sacramento, California • 94244-2120
Internet Address: <http://www.waterboards.ca.gov>

Rec 9/8/08 mm



Arnold Schwarzenegger
Governor

Ms. Maria Martin
City of Los Angeles Public Works Department, BOE
1149 Broadway, Suite 600, Mail Stop 939
Los Angeles CA, 90015

COMMENT LETTER 2

Dear Ms. Martin:

DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (IS/MND) FOR CITY OF LOS ANGELES PUBLIC WORKS DEPARTMENT (CITY); SANTA MONICA CANYON AND PALISADES PARK LOW FLOW DIVERSION UPGRADES AND COASTAL INTERCEPTOR RELIEF SEWER PROJECT (PROJECT); LOS ANGELES COUNTY; STATE CLEARINGHOUSE (SCH NO. 2008081044).

We understand the City is not currently pursuing Clean Water State Revolving Fund (CWSRF) financing for this Project. As a funding agency and a State agency with jurisdiction by law to preserve, enhance, and restore the quality of California's water resources, the State Water Resources Control Board (State Water Board) is providing the following information for the environmental document prepared for the Project.

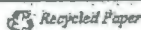
If the City decides to pursue funding through the CWSRF program, please provide us with the following documents applicable to the proposed project: (1) Copies of the Draft and Final IS/MND, (2) the resolution adopting the MND and making CEQA findings, (3) all comments received during the review period and your responses to those comments, (4) the adopted Mitigation Monitoring and Reporting Plan, and (5) the Notice of Determination filed with the Governor's Office of Planning and Research State Clearinghouse. In addition, we would appreciate notices of any hearings or meetings held regarding environmental review of any projects to be funded by the State Water Board.

The CWSRF Program is partially funded by the U.S. Environmental Protection Agency and requires additional "CEQA-Plus" environmental documentation and review. The State Water Board is required to consult directly with agencies responsible for implementing federal environmental laws and regulations. Any environmental issues raised by federal agencies or their representatives will need to be resolved prior to State Water Board approval of a CWSRF funding commitment for the proposed Project. For further information on the CWSRF program please contact Michelle L. Jones at (916) 341-6983.

2A

It is important to note that prior to a CWSRF funding commitment, projects are subject to provisions of the Federal Endangered Species Act and must obtain Section 7 clearance from the U.S. Fish and Wildlife Service (USFWS), and/or National Marine Fisheries Service (NMFS) for any potential effects to special status species. Please be advised that the State Water Board will consult with USFWS, and/or NMFS regarding all federal special status species the Project has the potential to impact if the Project is to be funded under the SRF Program. The City will need to identify whether the Project will involve any direct effects from construction activities or indirect effects, such as growth inducement, that may affect federally listed threatened, endangered, or candidate species that are known, or have a potential to occur on-site, in the surrounding areas, or in the service area. Please identify applicable conservation measures to reduce such effects.

California Environmental Protection Agency



SEP 3 2008

In addition, CWSRF projects must comply with federal laws pertaining to cultural resources, specifically Section 106 of the National Historic Preservation Act. Please contact the State Water Board's Cultural Resources Officer, Ms. Cookie Hirn, at (916) 341-5690, to find out more about the requirements, and to initiate the Section 106 process if the City decides to pursue CWSRF financing. Note that the City will need to identify the Area of Potential Effects (including construction and staging areas and the depth of any excavation).

If the City decides to pursue CWSRF financing, other federal requirements pertinent to the Project under the CWSRF Program include the following:

2A

- A. Compliance with the Coastal Zone Management Act: Identify whether the Project is within a coastal zone and the status of any coordination with the California Coastal Commission.
- B. Compliance with the Migratory Bird Treaty Act: List any birds that are protected under this Act that may be impacted by the Project and identify conservation measures to minimize such impacts.
- C. Compliance with the Wild and Scenic Rivers Act: Identify whether or not any Wild and Scenic Rivers would be potentially impacted by the Project and include conservation measures to minimize such impacts.
- D. Compliance with the federal Clean Air Act (CAA): (a) Provide air quality studies that may have been done for the Project; and (b) if the Project is in a nonattainment area or attainment area subject to a maintenance plan: (i) provide a summary of the estimated emissions (in tons per year) that are expected from both the construction and operation of the Project for each federal criteria pollutant in a nonattainment or maintenance area, and indicate if the nonattainment designation is moderate, serious, or severe (if applicable); (ii) if emissions are above the federal de minimis levels, but the Project is sized to meet only the needs of current population projections that are used in the approved State Implementation Plan for air quality, quantitatively indicate how the proposed capacity increase was calculated using population projections.
- E. Protection of Wetlands: Identify any portion of the proposed Project area that may contain areas that should be evaluated for wetland or U.S. waters delineation by the U.S. Army Corps of Engineers (USACE) or require a permit from the USACE, and identify the status of coordination with the USACE.

Following are my specific comments on the IS/MND:

2B

- 1 Mitigation Measure NO13 on page 31 states "The contractor shall monitor nighttime construction activity. Prior to the start of nighttime construction activities, the contractor shall submit a comprehensive noise control plan for review and approval of the project engineer. The noise control plan shall identify best possible construction staging locations and noise monitoring procedures, evaluate anticipated construction noise impacts and mitigation measures, and establish reporting requirements and complaint response procedures." Please include the specific start and end times that will be used to designate nighttime activities.



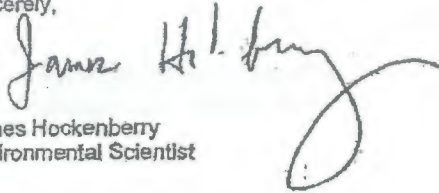
Ms. Maria Martin

- 3 -

SEP 3 2008

Thank you once again for the opportunity to review the City's environmental document. If you have any questions or concerns, please feel free to contact me at (916) 341-5686 or by email me at jhockenberry@waterboards.ca.gov.

Sincerely,



James Hockenberry
Environmental Scientist

cc: State Clearinghouse
(Re: SCH# 2008081044)
P. O. Box 3044
Sacramento, CA 95812-3044

California Environmental Protection Agency



Recycled Paper

CALIFORNIA STATE LANDS COMMISSION
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202



PAUL D. THAYER, Executive Officer
(916) 574-1800 FAX (916) 574-1810
Relay Service From TDD Phone 1-800-735-2929
from Voice Phone 1-800-735-2922

COMMENT LETTER 3

Contact Phone: (916) 574-1900
Contact FAX: (916) 574-1885

September 4, 2008

File Ref: SCH #2008081044
EW40026A & EW40027A

City of Los Angeles Department of Public Works
Bureau of Engineering
Environmental Management Group
Attention: Maria Martin
1149 S. Broadway, Suite 600, Mail Stop 939
Los Angeles, CA 90015-2213

Subject: Notice of Intent to Adopt a Mitigated Negative Declaration for Santa Monica Canyon and Palisades Park Low Flow Diversion Upgrades and Coastal Interceptor Relief Sewer Project

Dear Ms. Martin:

Staff of the California State Lands Commission (CSLC) has reviewed the above referenced document and offers the following comments on the Initial Study (IS), and Mitigated Negative Declaration (MND). Under the California Environmental Quality Act (CEQA), the city of Los Angeles (City) is the lead agency and the CSLC is both a Responsible and a Trustee Agency for this project.

3A

As a brief background, the State acquired sovereign ownership of all tidelands and submerged lands and beds of navigable waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all the people of the State for statewide Public Trust purposes which include waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space. The landward boundaries of the State's sovereign interests in areas that are subject to tidal action are generally based upon the ordinary high water marks of these waterways as they last naturally existed. In non-tidal navigable waterways, the State holds a fee ownership in the bed of the waterway between the two ordinary low water marks as they last naturally existed. The entire non-tidal navigable waterway between the ordinary high water marks is subject to the Public Trust Easement. Both the easement and fee-owned lands are under the jurisdiction of the CSLC. The locations of the ordinary high and low water marks are often related to the last natural conditions of the river, and may not be apparent from a present day site inspection.

3B

As a responsible agency the CSLC will rely on the MND prepared by the City for the consideration of a lease of sovereign lands. Therefore, staff suggests that an analysis of the greenhouse gas emissions information consistent with the California

September 4, 2008

3B

Global Warming Solutions Act (AB 32) be included. This would include a determination of the greenhouse gases that will be emitted as a result of construction and ongoing operations and maintenance, a determination of the significance of the impact, and mitigation measures to reduce that impact.

3C

Please be advised that CSLC staff has received an application for lease of State-owned sovereign lands in connection with this project. The application was submitted August 11, 2008 by Psomas, a consultant engineering firm, on behalf of the City's Bureau of Engineering.

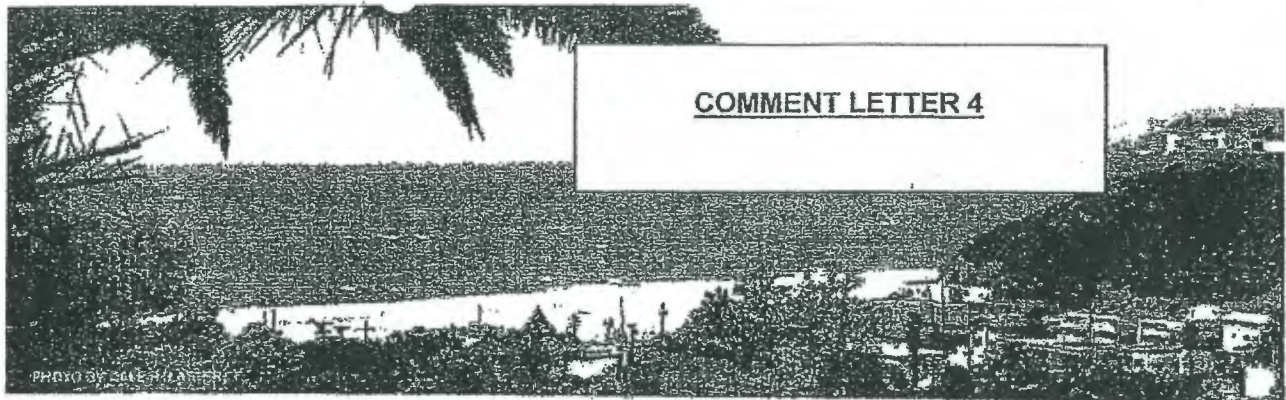
If you have any questions concerning the CSLC's jurisdiction or leasing information, please contact Susan Young, Public Land Management Specialist, at (916) 574-1879. If you have any questions on the environmental review, please contact Steven Mindt at (916) 574-1497 or by e-mail at mindts@slc.ca.gov.

Sincerely,



Gail Newton, Chief
Division of Environmental Planning
and Management

cc: Office of Planning and Research - State Clearinghouse
Steven Mindt - CSLC
Susan Young - CSLC



COMMENT LETTER 4

SANTA MONICA CANYON CIVIC ASSOCIATION

SMCCA COMMENTS ON INITIAL STUDY / MND FOR W.O. EW40026A and EW40027A SANTA MONICA CANYON AND PALISADES PARK LOW FLOW DIVERSION UPGRADES AND COASTAL INTERCEPTOR RELIEF SEWER (CIRS) PROJECT ("The Document")

September 12, 2008

Gary Lee Moore, City Engineer
City of Los Angeles
Attention: Ara J. Kasparian, Ph.D, Manager,
Environmental Management Group
1149 South Broadway, Suite 600
Los Angeles, CA 90015-2213

Dear Mr. Moore,

The Santa Monica Canyon Civic Association is pleased to present the following comments on the reference project:

- 4A | 1. Project design appears to provide for capture of all stream and hardscape runoff (except maybe the beach parking lots / Lot 1 and 2 East), which will remove a major source of dry weather pollution.
- 4B | 2. Construction noise was already commented upon at the public hearing held at the Palisades Community Library and assurances received that noise mitigation measures will apply to both general contractor and all subcontractors and suppliers.
- 4C | 3. It is understood that noise from operation of the pumps and other works to operate the project when finished will not exceed the current noise level, which is essentially silent operation.
- 4D | 4. SMCCA Board has discussed the placement of the 4' high control structure and has no comment.

- 4E 5. It is understood that control over the hours of construction that impact the Coast Highway as well as specifications for resurfacing the highway are subject to Cal Trans requirements. It is expected that the beach parking lots will be restored to pre-construction condition and understood that there may be the permanent loss of one parking space. Construction procedures that minimize lane closures and combine work so that a single highway lane closure permits simultaneous construction on two legs of the CIRS are highly desirable and we urge the City to implement this option to the maximum possible extent.
- 4F 6. It is understood that a temporary bridge over Santa Monica Channel will be provided, as necessary, to provide continuous access for cyclists using the Marvin Braude Bike Path. Further that this path is a bike path and not a "multi-use" or "pedestrian" path. The Document should be amended in all appropriate places to correct this error.
- 4G 7. It is understood that a 24-hour staffed hotline and advance notice of construction phases will be provided during construction of the project.
- 4H 8. Types on page 13: The correct spelling is "Chautauqua" (more than one time in the document, so a global correction is necessary) and Santa Monica "Pier."
- 4I 9. Comments on page 41. Mitigation Measure AES1 refers to "an ear," this should be "an area." Mitigation Measure NO11 should be amended to require "state of the art" noise mufflers, blankets, and other suitable noise attenuation to absolutely minimize late night construction noise that can reverberate into our canyon.
- 4J
- 4K 10. Comments on page 42. Measures 16 and 17 refer to "with 100 feet," which should read "within 100 feet." A global search and replace should be performed to correct this typo in all locations.
- 4L 11. Finally, haul routes for any truck traffic should use the coast highway and the Santa Monica Freeway. Such traffic is prohibited in the canyon, but just to be safe, the Contractor, subs and suppliers should be reminded to stay out of the canyon.

Santa Monica Bay is a recreational resource not only for our canyon residents but also for residents from the greater Southern California area and visitors from throughout the world. We thank you for doing this important work to clean up the Bay.

Sincerely,



George Wolfberg,
President

**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION for
Santa Monica Canyon and Palisades Park Low Flow Diversion Upgrades and
Coastal Interceptor Relief Sewer**

RESPONSE TO COMMENTS

A 30-day public review period started August 14, and ended September 12, 2008. Four comment letters, three from resource agencies and one from a civic association, were received during the comment period:

- Letter 1 from State Department of Transportation (Caltrans), District 7
- Letter 2 from State Water Resources Control Board, Division of Financial Assistance
- Letter 3 from State Lands Commission, Division of Environmental Planning and Management
- Letter 4 from George Wolfberg of the Santa Monica Canyon Civic Association

Comment Letter 1:

1A: Comment noted. The City has applied for a Caltrans Encroachment Permit.

1B: Comment noted. We anticipate the encroachment permit will include these or similar recommendations.

1C: Comment noted. As applicable under California State Water Resources Control Board Water Quality Order No. 99-08-DWQ (General Construction Permit), the City would prepare and implement a storm water pollution prevention plan.

Comment Letter 2:

2A: Comments noted. The project has no Clean Water State Revolving Fund financing. Currently, the project, in its entirety, is funded with Proposition O Bond funds.

2B: Comment noted. For purposes of mitigation monitoring, nighttime construction activity will be defined as construction activity occurring between the hours of 9 P.M. and 7:00 A.M. of the following day. However, actual nighttime work hours will be specified per the Caltrans encroachment permit.

Comment Letter 3:

3A: Comment noted.

3B: Comment noted. Applicable greenhouse emissions discussion is included in page 18 of the initial study.

3C: Comment noted. PSOMAS submitted the lease application on behalf of the City.

Comment Letter 4:

4A: Comment noted.

- 4B: Comment noted. Noise mitigation measures have been included.
- 4C: Comment noted. As indicated in the initial study, noise from operation is not anticipated to exceed current ambient noise levels.
- 4D: Comment noted.
- 4E: Comment noted. The Caltrans permit is anticipated to include specifications for the resurfacing of affected portions of Pacific Coast Highway as well as traffic management requirements to minimize, to the extent feasible, potential traffic impacts within Pacific Coast Highway.
- 4F: Comment noted. A temporary reroute or alternate route is anticipated for a segment of the bike path within the vicinity of Santa Monica Canyon Channel. A temporary bridge may be considered as part of the alternate route. Los Angeles Department of Transportation confirmed the path is a designated bike path.
- 4G: Comment noted. Mitigation Measure NOI-4 includes a 24-hour hotline as part of a community liaison program.
- 4H: Comment noted.
- 4I: Comment noted.
- 4J: Comment noted. Mitigation Measure NOI-3 in the mitigation monitoring program was revised to reflect the comment.
- 4K: Comment noted.
- 4L: Comment noted. Truck traffic routes would be addressed in the traffic control plan that would be subject to Caltrans approval.

ATTACHMENT 2 PROJECT DESCRIPTION REVISION

Initial Study/Mitigated Negative Declaration

**Santa Monica Canyon and Palisades Park
Low Flow Diversion Upgrades and
Coastal Interceptor Relief Sewer**

**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION for
Santa Monica Canyon and Palisades Park Low Flow Diversion (LFD) Upgrades
and
Coastal Interceptor Relief Sewer
Project Description Revision**

The Initial Study/Mitigated Negative Declaration was circulated for a 30-day public review period that started August 14, and ended September 12, 2008. Comments and Responses are included in Attachment 1 to the Initial Study/Mitigated Negative Declaration. Due to maintenance and constructability issues discovered during the design process, the Los Angeles County Flood Control District (LACFD) changed the location and size of the proposed rubber dam after the public review period.

The Initial Study/Mitigated Negative Declaration indicates "[t]he Los Angeles County Flood Control District (LACFCD) would install an air-inflatable 6-foot high by 40-foot wide rubber dam in the concrete-lined Santa Monica Canyon flood channel within the vicinity of the multiuse (pedestrian/bike) path bridge." LACFCD now proposes to install an air inflatable 4-foot high by 37-foot wide rubber dam at the existing Santa Monica Canyon LFD wall opening. A 24-inch concrete encased PVC pipe would convey low flows to the intake of the City's upgraded LFD structure. The flow of three existing drains located on the south channel wall and downstream of the diversion would be picked up via the encased PVC pipe. The flow of a fourth existing drain located on the north channel wall would continue to drain into the channel and ultimately to Will Rogers State Beach.

In accordance with the California Environmental Quality Act Guidelines (Title 14, California Code of Regulations Section 15073.5), recirculation of the Initial Study/Mitigated Negative Declaration is required when the document must be substantially revised after public notice of its availability has previously been given pursuant to Section 15072 but prior to its adoption. The project description revision identified above is considered a minor project modification which did not result in any new avoidable significant effect or the need for any new mitigation measures. As such, recirculation of the Study/Mitigated Negative Declaration is not required.

Transmittal 2:
Mitigation Monitoring Program

**MITIGATION MONITORING PROGRAM
FOR
SANTA MONICA CANYON AND PALISADES PARK LFD UPGRADES
AND COASTAL INTERCEPTOR RELIEF SEWER**

W.O. EW40026A and EW40027A

Prepared By

**CITY OF LOS ANGELES
BUREAU OF ENGINEERING**

SEPTEMBER 15, 2008

The California Environmental Quality Act (CEQA) requires public agencies to adopt a reporting or monitoring program for the changes to the project that have been adopted to mitigate or avoid significant effects on the environment (Public Resources Code Section 21081.6). The program must be adopted by the public agency at the time findings are made regarding the project. The State CEQA Guidelines allow public agencies to choose whether its program will monitor mitigation, report on mitigation, or both (14 CCR Section 15097(c)). This mitigation monitoring program contains the elements required by CEQA for the Santa Monica Canyon and Palisades Park Low Flow Diversion Upgrades and Coastal Interceptor Relief project.

Project Description

The Santa Monica Canyon and Palisades Park Low Flow Diversion Upgrades and Coastal Interceptor Relief project for which this mitigation monitoring program has been developed consists of the following:

The proposed project consists of the upgrade two existing low flow diversions (LFDs) and construction of a 4,500-foot long Coastal Interceptor Relief Sewer (CIRS) within the Community of Pacific Palisades and the northern limits of the City of Santa Monica. LFD systems divert dry-weather flows from the storm drain system to the sanitary sewer, where the runoff is treated before being discharged into the ocean. The Pacific Palisades LFD would be upgraded at its current location and a new LFD system would be installed near the mouth of the Santa Monica Canyon Channel. The existing Santa Monica Canyon LFD would be left in place for redundancy and system reliability. Construction of the Santa Monica Canyon LFD would be a joint effort between the City and the Los Angeles County Flood Control District (LACFCD). The LACFCD would install an air-inflatable 6-foot high by 40-foot wide rubber dam in the Santa Monica Canyon Channel and an adjacent control building (approximately 10 feet by 10 feet) housing the rubber dam's air compressor and control panel.

The CIRS would extend from its upstream end at the existing Palisades Park LFD downstream southeasterly, across the City of Los Angeles border, connecting to the existing sewer in the City of Santa Monica. The relief sewer will accommodate additional flows. The CIRS would consist of approximately 4,500 total lineal feet of pipe of varying diameters (30, 36, 42, and 48-inch). Roughly 1,400 lineal feet of the alignment would be located within Will Rogers Parking Lot 2 East and Parking Lot 1 and the remaining portion would lie within PCH right-of-way. Construction within PCH would require nighttime construction and partial lane closures.

Unless otherwise stated, the project will be designed, constructed and operated following all applicable laws, regulations, ordinances and formally adopted City standards (e.g., *Los Angeles Municipal Code* and Bureau of Engineering *Standard Plans* including the uniform

practices established by the Southern California Chapter of the American Public Works Association (e.g., *Standard Specifications for Public Works Construction* and the *Work Area Traffic Control Handbook*) as specifically adapted by the City of Los Angeles (e.g., The City of Los Angeles Department of Public Works *Additions and Amendments to the Standard Specifications For Public Works Construction* (AKA "The Brown Book," formerly Standard Plan S-610)).

Mitigation Measures

The mitigation measures described in the following pages are taken from the Initial Study and Mitigated Negative Declaration for this project. The measures are listed according to the phases of the project during which action must occur to implement the mitigation measure: design, construction and operation.

Within each project phase, the following are identified for each mitigation measure:

- (1) A brief description of the impact that is being mitigated (i.e., the objective of the mitigation),
- (2) A description of the mitigation measure,
- (3) The party who is responsible for the necessary implementing actions,
- (4) The necessary implementing action,
- (5) The party who is responsible for verifying that the necessary implementing action is taken, and
- (6) The primary record documenting the necessary implementing action.

The mechanisms for verifying that mitigation measures have been implemented include design drawings, construction documents intended for use by construction contractors and construction managers, field inspections, field reports, and other periodic or special reports. All records pertaining to this mitigation program will be maintained and made available for inspection by the public in accordance with the City's records management systems.

DESIGN PHASE

Impact	Mitigation Measure	Implementation Responsibility	Implementation Vehicle	Enforcement Responsibility	Record of Implementation
AESTHETICS					
Effect on a scenic vista or visual character or quality of the site	AES-1: To the extent feasible, permanent structures shall be designed and located in a manner that does not remove, alter, or destroy an existing valued natural or urban feature that contributes to the valued aesthetic character of an area or so that key views are not blocked.	Project Engineer	Project Plans & Specifications	Project Manager	Project Plans & Specifications
BIOLOGICAL RESOURCES					
Disturbance of existing biological resources and/or habitat conditions	BIO-1: A preconstruction survey by a qualified biologist shall be conducted for any construction within the sandy areas to ensure that no western snowy plovers are in the immediate project vicinity. As applicable, the biologist would make recommendations based on the results of the survey to prevent any impacts to western snowy plovers.	Project Engineer	Project Plans & Specifications	Project Manager	Project Plans & Specifications
NOISE					
Noise generated during construction	NOI-1: Construction contracts shall specify that all construction equipment shall be equipped with noise mufflers, blankets and other suitable noise attenuation.	Project Engineer	Project Plans & Specifications	Project Manager	Project Plans & Specifications
	NOI-2: The contractor shall minimize impulsive noise between the hours of 9:00 P.M. and 7:00 A.M. of the following day to the extent feasible.	Project Engineer	Project Plans & Specifications	Project Manager	Project Plans & Specifications
	NOI-3: The contractor shall monitor noise from construction activity between the hours of 9:00 P.M. and 7:00 A.M. of the following day. Prior to the start of nighttime construction activities, the contractor shall submit a comprehensive noise control plan for review and approval of the project engineer. The noise control plan shall identify best possible construction-staging locations and noise-monitoring procedures, evaluate anticipated construction noise impacts and mitigation measures, and establish reporting requirements and complaint response procedures. Mitigation	Project Engineer	Project Plans & Specifications	Project Manager	Project Plans & Specifications

DESIGN PHASE

Impact	Mitigation Measure	Implementation Responsibility	Implementation Variable	Implementation Responsibility	Responsible Implementation
	measures should include as applicable, measures such as use of best possible low noise emitting equipment and noise abatement devices including noise mufflers, blankets and other suitable noise attenuation. The noise control plan shall impose restrictions on the use of equipment with backup alarms or any other devices that typically emit banging, clanging, buzzing, or other annoying noises.				
	<p>NOI-4: The City of Los Angeles shall establish a community liaison program designed to provide for two-way communication between the community and the City of Los Angeles to resolve noise problems that might arise during construction of the Coastal Interceptor Relief Sewer. The community liaison program will consist of:</p> <ul style="list-style-type: none"> A 24-hour hotline to enable residents and community members to report noise problems. The hotline shall be staffed and operated by persons authorized to coordinate with the construction contractor, the construction manager, the inspector, and the design group to resolve identified issues. A database shall be developed to log complaints and document the status of the reported incidents and activities/actions undertaken to address the complaints. The distribution of the construction schedule, and any modifications to it thereafter, to residents, property owners, and local businesses. 	Project Engineer	Project Plans & Specifications	Project Manager	Project Plans & Specifications
	NOI-5: To the extent feasible during CIRS construction, the contractor shall route heavily-loaded trucks away from residential streets. If no	Project Engineer	Project Plans & Specifications	Project Manager	Project Plans & Specifications

DESIGN PHASE

Impact	Mitigation Measure	Implementation Responsibility	Implementation Vehicle	Enforcement Responsibility	Record of Implementation
	alternatives are available, streets with fewest homes shall be selected.				
	NOI-6: To the extent feasible during CIRS construction with 100 feet of residential units, the contractor shall phase demolition, earth-moving and ground-impacting operations so as not to occur in the same time period.	Project Engineer	Project Plans & Specifications	Project Manager	Project Plans & Specifications
	NOI-7: To the extent feasible during CIRS construction with 100 feet of residential units, the contractor shall select demolition methods not involving impact. For example, sawing structures into sections that can be loaded onto trucks would result in lower vibration levels than impact demolition.	Project Engineer	Project Plans & Specifications	Project Manager	Project Plans & Specifications
	NOI-8: Prior to the start of CIRS construction activities, the contractor shall submit a comprehensive vibration monitoring and mitigation plan for review and approval of the project engineer. The vibration monitoring and mitigation plan shall focus on adjacent residential uses, identify best possible construction-staging locations and vibration-monitoring procedures, evaluate anticipated vibration impacts and mitigation measures, and establish reporting requirements and complaint response procedures.	Project Engineer	Project Plans & Specifications	Project Manager	Project Plans & Specifications

CONSTRUCTION PHASE

Impact	Mitigation Measure	Implementation Responsibility	Implementation Vehicle	Endowment Responsibility	Record of Implementation
BIOLOGICAL RESOURCES					
Disturbance of existing biological resources and/or habitat conditions	BIO-1: A preconstruction survey by a qualified biologist shall be conducted for any construction within the sandy areas to ensure that no western snowy plovers are in the immediate project vicinity. As applicable, the biologist would make recommendations based on the results of the survey to prevent any impacts to western snowy plovers.	Project Engineer and Construction Contractor	Project Plans & Specifications	Project Manager	Project Acceptance or Closeout Report
NOISE					
Noise generated during construction	NOI-1: Construction contracts shall specify that all construction equipment shall be equipped with noise mufflers, blankets and other suitable noise attenuation.	Project Engineer and Construction Contractor	Project Plans & Specifications	Project Manager and Bureau of Contract Administration	Project Plans & Specifications
	NOI-2: The contractor shall minimize impulsive noise between the hours of 9:00 P.M. and 7:00 A.M. of the following day to the extent feasible.	Construction Contractor	Project Plans & Specifications	Bureau of Contract Administration PW Inspector	Project Acceptance or Closeout Report

CONSTRUCTION PHASE

Impact	Mitigation Measure	Implementation Responsibility	Implementation Vehicle	Enforcement Responsibility	Record of Implementation
	<p>NOI-3: The contractor shall monitor noise from construction activity between the hours of 9:00 P.M. and 7:00 A.M. of the following day. Prior to the start of nighttime construction activities, the contractor shall submit a comprehensive noise control plan for review and approval of the project engineer. The noise control plan shall identify best possible construction-staging locations and noise-monitoring procedures, evaluate anticipated construction noise impacts and mitigation measures, and establish reporting requirements and complaint response procedures. Mitigation measures should include as applicable, measures such as use of best possible low noise emitting equipment and noise abatement devices including noise mufflers, blankets and other suitable noise attenuation. The noise control plan shall impose restrictions on the use of equipment with backup alarms or any other devices that typically emit banging, clanging, buzzing, or other annoying noises.</p>	Construction Contractor	Project Plans & Specifications	Bureau of Contract Administration PW Inspector	Project Acceptance or Closeout Report

CONSTRUCTION PHASE

Impact	Implementation Measure	Implementation Responsibility	Implementation Guide	Enforcement Responsibility	Record Keeping Implementation
	<p>NOI-4: The City of Los Angeles shall establish a community liaison program designed to provide for two-way communication between the community and the City of Los Angeles to resolve noise problems that might arise during construction of the Coastal Interceptor Relief Sewer. The community liaison program will consist of:</p> <ul style="list-style-type: none"> A 24-hour hotline to enable residents and community members to report noise problems. The hotline shall be staffed and operated by persons authorized to coordinate with the construction contractor, the construction manager, the inspector, and the design group to resolve identified issues. A database shall be developed to log complaints and document the status of the reported incidents and activities/actions undertaken to address the complaints. The distribution of the construction schedule, and any modifications to it thereafter, to residents, property owners, and local businesses. 	Project Engineer and Construction Contractor	Project Plans & Specifications	Project Manager	Project Plans & Specifications
	NOI-5: To the extent feasible during CIRS construction, the contractor shall route heavily-loaded trucks away from residential streets. If no alternatives are available, streets with fewest homes shall be selected.	Project Engineer and Construction Contractor	Project Plans & Specifications	Project Manager and Bureau of Contract Administration	Project Plans & Specifications
	NOI-6: To the extent feasible during CIRS construction with 100 feet of residential units, the contractor shall phase demolition, earth-moving and ground-impacting operations so as not to occur in the same time period.	Project Engineer and Construction Contractor	Project Plans & Specifications	Project Manager and Bureau of Contract Administration	Project Plans & Specifications

CONSTRUCTION PHASE

Impact	Mitigation Measure	Implementation Responsibility	Implementation Vehicle	Implementation Responsibility	Record of Implementation
	NOI-7: To the extent feasible during CIRS construction with 100 feet of residential units, the contractor shall select demolition methods not involving impact. For example, sawing structures into sections that can be loaded onto trucks would result in lower vibration levels than impact demolition.	Project Engineer and Construction Contractor	Project Plans & Specifications	Project Manager and Bureau of Contract Administration	Project Plans & Specifications
	NOI-8: Prior to the start of CIRS construction activities, the contractor shall submit a comprehensive vibration monitoring and mitigation plan for review and approval of the project engineer. The vibration monitoring and mitigation plan shall focus on adjacent residential uses, identify best possible construction-staging locations and vibration-monitoring procedures, evaluate anticipated vibration impacts and mitigation measures, and establish reporting requirements and complaint response procedures.	Project Engineer and Construction Contractor	Project Plans & Specifications	Project Manager and Bureau of Contract Administration	Project Plans & Specifications